

MINUTES AND PROCEEDINGS
OF THE
GENERAL COURT MARTIAL,

HELD AT

THE ROYAL HOSPITAL, AT CHELSEA,

On SATURDAY, the 22d of JUNE, 1799, and continued by Adjournment till THURSDAY, the 27th, of the same Month,

ON THE CONDUCT OF

MAJOR ANDREW ARMSTRONG,
OF THE 11TH (OR NORTH DEVONSHIRE) REGT. OF FOOT,

In the late Expedition to Ostend:

ACCOMPANIED WITH

EXTRACTS from the PARLIAMENTARY DEBATES,
GENERAL ORDERS and OFFICIAL DOCUMENTS,
relative to the said *Expedition*.

L O N D O N :

Printed by C. Roworth, Hudson's Court, Strand,
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WHITEHALL.

1799.

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FIELD

THE ROYAL HOSPITAL AT CHELSEA

of the same Month.

TO TOUCHED SET 20

NAME: ANDREW ALMSTRONG

TO THE HONORABLE MEMBERS OF THE HOUSE OF REPRESENTATIVES

In the late Expedition to Omdurman:

APR 29 1910

ACCOMPANIED WITH

relative to the said Exemption.

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Printed by C. G. Brown, Boston, Mass.

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ADVERTISEMENT.

Nothing extenuate
Nor set down aught in malice.

SHAKSPEARE.

THE following Papers, Orders, and Instructions, relative to an Expedition which has excited much interest, but has hitherto been wrapped up in mystery and darkness, are now submitted to the public on the same presumed principle of national responsibility, and from the same unbiaſſed motives by which the editor has uniformly been governed in his humble exertions. Facts, ſworn to by respectable witneſſes, and documents, copied from authentic originals, are here candidly brought forward. What was left unexplained in the Houſe of Commons (when every ſpecies of diſcuſſion upon the ſubject was ſuperſeded by the previous queſtion) has been brought to iſſue by the inveſtigation of experienced and honourable characters; and the world at large is now put in poſſeſſion of all the inferences and concluſions, that could poſſibly be drawn from the management of an enterprize, which, until the 24th of June, 1799, had been left to hazard and conjecture. Comments
and

and observations, (however relevant they might be made to the subject matter of the proceedings) are studiously avoided, and the whole of the expedition is left to the cool, dispassionate examination of men, who can judge without a reference to persons, enquire without collateral considerations, and decide without prejudice or affection.

To such men, and to such only, the following compilation is recommended for perusal—If approbation of his motives should accompany their reflections upon the undertaking, the editor will feel himself amply recompensed for the trouble he has had in arranging the materials.

* The solemn appeal which appears at the conclusion of this trial, and which the defendant was solicitous to swear to in the presence of every member of the court, must convince mankind, that whatever errors might have been committed on the Coast of Flanders, the defendant was not conscious of having added to them.

LONDON, 30th September, 1799.

INTRODUCTION;

CONTAINING

Some Important and Interesting Points of Elucidation on the Subject of the EXPEDITION TO OSTEND.

Who shall decide when doctors disagree,
And ablest casuists doubt, like you and me?

POPE.

Extracts from Parliamentary Debates, as published in 1798, relative to the Expedition, June 20th.

“ **GENERAL TARLTON**—The expedition to
“ Ostend, which was a mere chimæra of the
“ Right Honourable Gentleman,* had swallowed up
“ fifteen hundred men, whose services would have
“ been much more effectual in defending the country
“ at this moment, than in executing the chimerical
“ enterprize in which they were employed. If he
“ were to see the troops of Washington, or Du-
“ mourier, or Buonaparte in the field, he should
“ know whether an attack or defence were intended;
“ but from the Honourable Gentleman’s arguments,
“ he could not tell whether he intended offensive or
“ defensive operations; he could find nothing but

* Right Honourable Mr. Secretary Dundas.

“ quibble. General Tarlton concluded by conjuring
 “ the House to look at the situation of the Country
 “ five years ago, and compare it with what it was
 “ now, through the misconduct of His Majesty’s
 “ ministers, who, if they were to continue much
 “ longer in office, could not fail to reduce the country
 “ to beggary, disgrace and defeat.”* (See Parlia-
 “ mentary Debates for 1798, p. 439.)

“ Mr. Secretary Dundas thought, that whatever
 “ high opinion the Honourable General might have
 “ of his own talents, he nevertheless hoped he would
 “ excuse him for taking the advice of those officers,
 “ whom he had an opportunity of consulting in pre-
 “ ference to the advice of the Honourable General,
 “ whom he never had yet had the honour to con-
 “ sult.

“ In regard to the expedition to Ostend, upon
 “ which the Honourable General had animadverted,
 “ it should be recollected, that this expedition was
 “ not only undertaken by the advice, but by the
 “ earnest entreaty of Sir Charles Grey. This expe-
 “ dition was to cut off the communication by water
 “ between the troops of the enemy, and prevent
 “ their collecting their force. The Honourable
 “ General has been pleased to term this a chimerical
 “ expedition; but here, again, Mr. Dundas said, he
 “ was sheltered by military responsibility, as that
 “ expedition had been planned, advised, and pressed
 “ by military judgment. (p. 440.)

“ Mr. Jekyll said, the Right Honourable Gen-
 “ tleman (Mr. Dundas) had seemed a little hurt that

* General Tarlton was shortly after appointed to a Command
 in Portugal.

“ the epithet *chimerical* should have been applied to
 “ the expedition to Ostend: but let this expedition be
 “ judged by its consequences, and he did not know
 “ what other epithet could be applied. Was it not
 “ chimerical to send these troops upon such an expe-
 “ dition, at a time when their services were wanted at
 “ home? Was it not chimerical that fifteen hun-
 “ dred brave men should be at this moment lying in
 “ the prisons of the enemy? But after all, the ob-
 “ ject was not accomplished. By a letter from
 “ Bruges, he was informed that the sluice of Sluykens
 “ was not blown up by the explosion, and the canal
 “ was still navigable.” (p. 440)

HOUSE OF COMMONS, *Thursday, June 21st, 1798.*

“ Mr. Jekyll rose to do away a misrepresentation
 “ which he had made yesterday in a part of his
 “ speech, wherein he had been defending the asser-
 “ tion of an honourable friend of his (General Tarl-
 “ ton), that the late expedition to Ostend was an
 “ useless and chimerical one. He (Mr Jekyll) had
 “ then stated on the authority of persons whom he
 “ had supposed were competent judges, that this ex-
 “ pedition was not attended with any success, and
 “ that no damage had been done to the enemy’s
 “ sluices, which could not have been soon repaired.
 “ This morning, however, he had been waited upon
 “ by Captain Popham, who had consulted with a
 “ Captain Winter; and he stated to him, that from
 “ what

“ what he had seen himself, the works of all the
 “ sluices had been completely demolished; that the
 “ navigation of the canal was put an end to, except
 “ at the time of the influx of the tide; that the
 “ mason work was destroyed; and that the whole
 “ of the damages could not be repaired in less than
 “ twelve months. These circumstances, he thought
 “ it necessary to mention to the House in order to
 “ correct the mis-statement which he had made; and
 “ he did so, not only with a view of removing any
 “ impression that gentlemen might have received as to
 “ his having had improper motives in stating what he
 “ did yesterday, but for the sake of those brave and
 “ gallant officers who were now prisoners in France,
 “ and particularly their distinguished commander in
 “ chief, who was now languishing under his wounds;
 “ convinced as he was, that they had done as much
 “ as could possibly have been performed by men in
 “ their situation.”

Mr. Secretary Dundas expressed his approbation
 of the honourable and candid behaviour of the learned
 gentleman on this occasion, and was certain that no
 gentleman would ever have imputed any improper
 motives to him in the statement he made yesterday.

(p. 444)

Friday, June 22d,

General Tarleton brought forward the two follow-
 ing motions, which were assented to unanimously:

“ That a return of the King's troops employed on
 “ the late expedition in the neighbourhood of Orend,
 “ be laid before the House:”

“ That

" That a return of the officers and men, distinguishing their Regiments and Corps, who returned from the expedition, be laid before the House."

" General Tarlton said he was under the necessity, in compliance with the forms of the house, to bring forward these motions, in order to enable himself to comment upon a statement of yesterday, as well as on the late operations in the vicinity of Ostend. He censured his Majesty's ministers with considerable severity for their military arrangements, which produced nothing but misfortune and disgrace to the country. He imputed no blame, on the present occasion, to the gallant officers or brave men employed on the expedition; and he neither retracted, nor explained away the epithet, chimerical, which he had used in the house on Wednesday last."

Mr. W. Bootle moved, That the standing order be enforced relative to the exclusion of strangers.

Thus was this important question disposed of, without any other discussion than what related to Mr. Jekyll's explanation and General Tarlton's perseverance in his original opinion of the enterprize. It cannot prove uninteresting to the public, certainly not to the army, to endeavour to supply this deficiency of investigation in the House of Commons, by a faithful and true account of the only open enquiry which has taken place on the subject. Influenced by motives of the most delicate impartiality, yet strongly actuated at the same time by sentiments of public duty, the Editor thinks it necessary to observe, that by affording all the documents he has been able to collect relative to this expedition, he has had in view

view not only the full justification of the individual, on whose trial the General Court Martial has been assembled, but the further vindication of a large body of men, whose characters as soldiers have been cruelly called in question. Individuals can always rise above the reach of malevolent or indiscreet aspersions, because individuals possess the means of bringing truth into manifestation by judicial process, but bodies of men, whether corporate or otherwise composed, are excluded from this enviable resource. The well-informed need scarcely be told, that this explanation is directed against that flippancy of remark, so prevalent among mankind, which seldom discriminates, and almost always involves the most meritorious by a loose application of unqualified censure. Nor will the eleventh regiment of foot be hurt at thus recalling to the public mind the questionable light in which they stood on the official dispatches relative to the action of the 20th of May, 1798; most especially as Major General Coote's public communication of the Commander in Chief's opinion of the conduct of all the officers and soldiers that were engaged on that day, is an unequivocal explanation in their favor of the following extract from the Gazette :

“ About this time Major General Coote observed,
 “ that part of the 11th Regiment towards our left
 “ had given way, and was likely to distress the other
 “ parts of the front nearest to it. At the moment he
 “ was endeavoring to rally them, and had put himself
 “ at the head to regain the lost and advantageous
 “ ground from which they had retreated; at that most
 “ critical period, when most conspicuous for gallantry
 “ and conduct, he received a very severe wound in
 “ his

“ his thigh, and being unable to go on, he sent for
“ me from the Right, where I was stationed*.”

Signed, “ H. BURRARD, Major General.”

In order to preserve a regular series, both as to dates and events, I shall now present the public authentic copies of all the papers that can lead the mind to a perfect comprehension of every part of the expedition.

Mr. Secretary Dundas, in his place as member of the legislature, has already explained to the world the origin of the enterprize.—The veteran and gallant officer† by whom it was devised, will not lose a particle of that military fame for which he has long been distinguished, by the publicity that must unavoidably be given to his orders and instructions; and the nation at large will be able to determine on the execution of them. It has already been observed in a recent publication on military matters, that the capture of our gallant countrymen might perhaps have been prevented, had as much fore-sight and calm consideration been manifested at the conclusion of the business, as there were instances of gallantry and resolution in the accomplishment of its professed object.

* The following disposition of the troops, as far as it relates to the 11th Regiment, is extracted from the same Gazette.

The Grenadiers of the 11th Regiment, with cannon, at the lower Ferry.

The 11th Regiment on the South-east front to secure a retreat for the troops if pressed.

The Light Infantry Companies of the 11th and 23d Regiments under Major Donkin, to cover the village of Bredin, and extend to the Blankenburgh Road, near the sea, as well as to co-operate with the 11th Regiment.

† General Sir Charles Grey.

It

It has indeed been generally admitted, that the situation of the country presented ground enough to retreat from a superior enemy, whilst our shipping might have kept him in check, and that the time afforded between the explosion of the sluices and the approach of the French in columns of superior force, would have secured, if not a re-embarkation of the troops, a dignified and conditional surrender. What conclusions may be drawn from a dispassionate examination of the following papers, (compared with the result of the expedition as proved upon the face of these proceedings) is not becoming in me to anticipate by attempting to determine. It is, however, to be regretted, that, on the authority of what happened during the reign of George the Second, in the case of Sir John Mordaunt, the unpleasant and unretracted language of a member of the House of Commons, was not met by a manly investigation of the enterprize in a court of honour. An enquiry of this sort would, I am persuaded, have proved, that the expedition itself, however unfortunate in its termination, was not a mere chimerical undertaking, and that the execution of its immediate object was attended with some success. The whole, in fact, had been unequivocally blamed in an open House of Commons, and after a lapse of thirteen months it has fallen to the lot of an individual, (by no means responsible for the issue of the enterprize,) to cause that investigation to take place in part only, which might have been demanded on the broad principles of national credit. The satisfaction which one member of the legislature had already received with regard to the explosion of the sluices, would have been followed by a full, and, I trust, as agreeable an

an explanation of the subsequent events. Men, who reason at a distance from the scene of action, and who are too apt to see things through the doubtful optics of interested reporters, can never sufficiently sift an undertaking to the bottom to become thoroughly possessed of all the causes, effects, and relative dependencies, on which the success of every hazardous enterprise must hang. Who, for instance, when a king's ship is driven upon a lee shore in a violent gale of wind, can so properly account for her loss as that man to whose unlimited disposal the crew, &c. have been intrusted? Public enquiries put an end to private animadversions; and brave characters, like precious stones, become brighter in proportion to the hardships they have endured, and out of which they are drawn with all the brilliancy of truth.

EDITOR.

London, July 13, 1799.

an explanation of the subsequent events. Men who reason at a distance from the scene of action, and who are too apt to see things through the doubtful optics of interested reports, can never sufficiently fix an understanding to the bottom to become thoroughly possessed of all the causes, effects, and relative dependencies, on which the success of every human enterprise must hang. Who, for instance, when a king's ship is driven upon a lee shore in a violent gale of wind, can so properly account for the loss as that man to whose unlimited disposal the crew are left, and who is interested? Public capacities are not so private as is commonly supposed; and private capacities, like precious stones, become brighter in proportion to the hardships they have endured, and out of which they are drawn with all the brilliancy of truth.

Editor.

London, July 12, 1799.

GENERAL ORDERS.

Head Quarters, Barham Court, 9th May, 1798.

HIS Majesty having commanded General Sir Charles Grey, commanding the Southern District, (by instructions from Mr. Dundas, Secretary of State for the War Department; and orders from His Royal Highness Field Marshal the Duke of York, Commander in Chief of all his Forces), to plan and arrange an expedition against the combined enemies, and having been most graciously pleased to signify his pleasure in the appointment of Captain Popham to command the Naval Armament, and Major General Coote his Land Forces of every description;

General Sir Charles Grey has therefore to announce to the troops, that the object of the expedition is against the coast of the common enemy, and of the greatest national importance; which, if successful, from the serious loss and severe blow the enemy must sustain, will, in all probability, frustrate their design of invading these Kingdoms.

It only remains for the General to remind the troops *selected* for this service, that they cannot be ignorant of the high reputation they have always had, for obedience, attention, and expertness in arms, and consequently they must be sensible how much their King and Country expect from them. And the General places so implicit a confidence in the troops, that he is impressed with every assurance they will not disappoint him on this occasion. It therefore

only requires the usual firmness, perseverance, and gallantry of British Soldiers to remove every obstacle, and conquer the points they may be led against; and which he, from the best intelligence, and minute consideration of the subject, assures them there is every possible reason to think the enterprize cannot fail of success, but, on the contrary, that it will be easily, shortly, and completely effected.

Convinced, as the General is, from the known valour of the Seamen and Soldiers who compose the present armament, it may, however, be necessary, and indeed a duty incumbent on him, to point out further, what he thinks necessary, either for their own particular good, or the more noble object, the good of their King and Country.

General Sir Charles Grey requests the soldiers will consider, that in times like the present, some sacrifice of convenience must always be made to necessity: at the same time the soldiers may be assured, that every attention will be paid to their welfare and comfort that the service will allow of, by the commander and every other officer; on the other hand, he is sure the soldiers will be so thoroughly convinced of this, that not one of them will be so lost to honour and virtue, and the service of their country, as not readily, and most cheerfully to put up with every inconvenience and fatigue, the present short service may require: and that upon landing, and whilst on shore, the most profound silence is to be observed, and the most implicit and prompt obedience to all orders is not only expected, but demanded, and upon which, the glory of the enterprize depends.

Every officer and soldier is strictly to keep with
his

his platoon ; and every officer to pay the most pointed attention to his duty, in the care and order of his men, and to prevent any confusion that may happen, which services of this nature are sometimes liable to,

Should the troops disembark at night, or before light, they are not upon any consideration to load. He speaks from experience, and assures them their safety and success depend greatly upon it, for this plain reason ; — the enemy direct their fire from whence fire comes, and at length fire upon one another, by which they become an easy conquest ; and likewise when it is necessary to retreat in the dark, it is done with safety, and in silence, whilst the enemy is engaged among themselves.

Should any man attempt to leave his rank or post, in search of plunder, upon any pretence whatever, however grievous it may be to General Sir Charles Grey's feelings, (and which he certainly should feel most deeply,) he must, in his situation, and for the good and salvation of the whole, pronounce immediate death.

The success and prosperity of every enterprize depends so entirely upon, not only harmony and unanimity, but friendship of the army and navy, that the General cannot too strongly impress upon the mind of every officer, sailor, and soldier the necessity of the most cordial union, to meet each other hand in hand, upon this most laudable occasion, that no difficulty whatever may be started by either service, but that the duty may be completely carried forward, with heart and good-will, of which the commanders will shew the example.

General Sir Charles Grey is sure, Major General
Coote

Coote will heartily coincide with these orders, and that he will, with the strictest, and most determined resolution, carry them into effect, and report all disobedience to Sir Charles Grey.

(Signed) C. GREY,
GENERAL.

Major Gen. COOTE's GENERAL ORDERS.

Margate, 13th May, 1798.

PAROLE POPHAM.

General Sir Charles Grey, having appointed Major General Coote to command the troops who are destined for the expedition, and which is of the utmost importance to this country; Major General Coote takes the opportunity of expressing his great pleasure at being placed at the head of so respectable and fine a corps.

The glory and success of the enterprize depend entirely on the exertions and good conduct of all ranks, and he is strongly convinced, that they will be equal to the great advantages that will arise from the accomplishment of this important service.

The Major General is most confident, that the troops intrusted to his care will merit the highest approbation of their King and country upon this occasion.

Every attention in his power will be paid to the deserving soldier; and any person found guilty of plundering or drunkenness may expect the most severe punishment.

It

It is desired that the greatest unanimity and good understanding may prevail between the navy and army, without which it will be impossible to carry on the service; as it is probable a number of the seamen, with naval officers, will be employed on shore in drawing the guns, &c. to their respective stations (in which service they have at all times shewn the most laudable zeal) it is expected they will meet with no impediment from the troops, but whenever both parties are employed, that the assistance may be reciprocal. The commanding officers of sea and land forces, are determined to set the most pointed example to the whole.

Captain Walker, of the Royal Artillery, is appointed to command the detachment of Artillery, and Lieutenant Brownrigg, of the Royal Engineers, to command the detachment of Artificers.

Brigade Major Thorley is appointed Brigade Major to the expedition; Captain Visscher, of the 65th regiment (Sir Charles Grey's Aid-de-Camp); Captain Williamson, of the 70th regiment, and Lieutenant Clifton of the Royal Artillery, are to do duty as Aids-de-Camp to Major General Coote.

Ensign Pratt, of the 49th regiment, to do duty as Aid-de-Camp to Captain Popham, commanding the naval forces.

The soldiers are not to take their knapsacks on shore, canteens and haversacks will be the only articles they will want, the former to carry their rum and water, and the latter a day's provision, ready cooked, for which Captain Popham will be so obliging as to give the necessary directions to the Captains commanding His Majesty's ships.

Each

Each soldier is to carry as much ammunition as his pouch will contain, and spare cartridges will be taken on shore, in case they may be wanted.

Captain Popham is so obliging as to direct the Captains of the three ships on board of which the Guards embark, to supply each man with a cartouch-box to put round his waist, which will of course be filled with ammunition.

Major General Coote embarks on board the expedition, Major General Burrard is appointed second in command to the expedition, and all orders given by him are to be obeyed accordingly.

General Sir Charles Grey has given fifty guineas to Captain Hamilton, of the Royal Navy, to be distributed in equal proportions to the soldiers' wives and children left behind, of the regiments as follows, viz. Of the Royal Artillery, Royal Artificers, Battalion of Guards, 11th Regiment, 23d Regiment, and flank companies of the 49th Regiment*.

DETACHMENT ORDERS.

By Captain William Hood Walker, Royal Artillery.

Margate, 12th May, 1798.

The detachment to parade to-morrow morning at eight o'clock for embarkation.

The commanding officer expects that no man will

* Although the insertion of this passage does not in strictness form any part of the arrangement of the expedition; yet we should feel wanting in regard to so great an example, were we to omit it; an example truly worthy of the man and of the officer, and which cannot need any additional weight than the eulogy that the fact itself must speak.

take any more necessaries than what are allowed by the Commander in Chief's orders, lately made known to the troops in the southern district.

GENERAL ORDERS.

On board the Expedition, 14th May, 1798.

The troops are to disembark either by night or day, according to the signal made, in the following order, viz.

FIRST DEBARKATION.

Guards—From the ships Expedition, Ariadne, and Minerva, in flat boats.

Ship Expedition—Artificers and Miners, with intrenching tools, under Lieutenant Brownrigg, in their own boats.

SHIPS.

Circé,	{ one 6-pounder,	} In their own boats.
Vestal,	{ one 8-inch howitzer,	
Kite,	{ one 5½-inch howitzer,	

SECOND DEBARKATION.

SHIPS.

Savage,	} 11th Grenadiers,	} In flat boats.
Vessuve,		
Vestal, 23d Ditto,		
Kite, 49th Ditto,		
Druid, Three comp. of Light Infantry,		

SHIPS.

Druid,	{ one 6-pounder,	} In their own boats.
Ariadne,	{ one 6-pounder,	
Minerva,	{ one 5½-inch howitzer,	
Circé,	{ one 5½-ditto,	

THIRD DEBARKATION.

SHIPS.

Circé,	{ 11th Regiment,	} Flat boats.
Hebé,		
Ariadné,	{ one 8-inch howitzer,	} In their own boats.
Savage,		

The company of the 23d regiment, under the command of the Hon. Captain Godfrey Macdonald, from the Furnace, Terror, and Lyon, to land in their own boats, as soon as possible, and without arms, to assist Captain Walker, of the Royal Artillery, and Lieutenant Brownrigg, of the Royal Engineers.

The troops are to take with them on shore one day's provision, ready cooked, and rum and water. Commanding officers of the troops of each ship are to be responsible that the rum be mixed with *four waters*.

Captain Popham commanding the naval force, is to be strictly obeyed by all the troops on shore. Should Captain Popham find it necessary to land the 23d regiment to the westward, the officer commanding is strictly to obey his orders.

Captain Cumberland, of the 83d regiment, and Lieutenant Nixon, of the 7th Light Dragoons, are to do duty as Aids-de-Camp to Major General Burrard.

Whenever a signal is made for the commanding officers of regiments to come on board, they are always to be attended by their respective Adjutants.

Captain Walker, commanding the Royal Artillery, will make the necessary arrangements for that corps, agreeable to the instructions he has received.

A com-

A company of the 11th regiment is to remain on the beach, as a guard of the stores; and, if necessary, the officer commanding it will be called upon by Lieutenant Brownrigg to carry stores, &c. a certain distance; in that case, the arms are to be piled, and the orders from Lieutenant Brownrigg to be strictly obeyed; a very small guard to be left with the arms.

Every man's arms and ammunition are to be inspected this day, by the officers commanding companies, and every man is to land with sixty rounds of ball cartridge, and two good flints.

Captain Winthrop, of the Royal Navy, is to command the seamen on shore, who will give every assistance in his power, and his directions are to be obeyed.

The General cannot too much impress upon the minds of the soldiers, attention, silence and obedience, and upon no possible account to load in the night, or to throw away their fire in the day.

The Surgeons are to land with their respective corps, and to remain at a convenient distance in the rear, and in as secure a place as possible; each is to be attended by an orderly man, who is to carry the instruments, &c.; the Hospital Surgeon, or his Mate, is to remain on board, the others to attend at the landing. The 11th regiment are not to land with their colours.

Commanding officers of corps are to pay particular attention to that part of the order of yesterday, with respect to their men going on shore without their knapsacks. The whole of the orders already given, to be read to the men this day.

GENERAL ORDERS.

Expedition, 15th May, 1798.

The officers' servants who are not soldiers, and in coloured clothes, to wear on their left arms, a piece of white canvas cloth, with the name of their master written on it. — Any officer's servant who is found straggling for the sake of plunder, will be immediately punished with death.

GENERAL ORDERS.

Expedition, 16th May, 1798.

Twenty of the additional gunners of the Guards to be formed on the beach on landing, consisting of two serjeants, two corporals, and sixteen rank and file, to be left on the beach, under the command of Captain Walker, of the Royal Artillery.

DETACHMENT ORDERS,

*By Captain William Hood Walker, Royal Artillery.**On Board His Majesty's Ship Expedition at Sea,
17th May, 1798.*

The detachment and artillery on board the different ships and vessels of war, to be disembarked according to the following regulation, viz.

FIRST DEBARKATION.

From the Hebé.

Lieutenant Ilbert to land as soon as possible to assist the engineer in any manner Lieutenant Brownrigg may wish.

The

The detachment of artillery on board the *Hebé*, also the twelve sets of horse harness to be landed. The gunners will be detached off on landing.

From the Circé.

Captain Wilson, with one six-pounder; he is also to bring on shore with him some fire balls.

From the Vestal.

Captain Godfrey, with one eight-inch howitzer.

From the Harpy.

Bombadier Levens, with one six-pounder.

Those pieces to be attached to the brigade of Guards, to take post at the lower ferry, and to move forward as occasion may require. Captains Wilson and Godfrey are to march with their guns. The latter will proceed on to the sluices, on artillery being landed.

SECOND DEBARKATION.

From the Druid.

Lieutenant Holcroft, with one six-pounder, who on landing will join the Light Infantry, to take post at the village of Bredien.

From the Ariadné.

Lieutenant Hughes, with one six-pounder, who will be ready to join the 11th regiment on landing, and to take post near the bridge, to the eastward.

From

From the Minerva.

Bombadier Cassie, with one five and half-inch howitzer, who will immediately repair to the Ferry, to join Captain Wilson.

From the Circé.

Lieutenant Simpson, with one five and half inch howitzer, will also march for the Ferry, when Captain Godfrey will be detached to the Sluices.

Captain Godfrey, with one eight-inch howitzer.

THIRD DEBARKATION.

From the Harpy.

Bombadier Platts and his party to land with all the five and half-inch howitzer ammunition now on board the Harpy, in order to supply the two other howitzers to be landed. The hand-cart is also to be landed, to transport it, and the men will be detached to some other pieces on their landing.

From the Ariadne.

Bombadier Graham, with one eight-inch howitzer, will join Captain Wilson, at the Lower Ferry.

The additional gunners, from the Brigade of Guards, are to be attached to the two six-pounders that land with the first debarkation.

One serjeant and ten additional gunners, of the 23d regiment, to be attached to Lieutenant Holcroft's six-pounder. The officer and the remaining additional gunners of the 23d, to be attached to Lieutenant Hughes's six-pounder. One serjeant and ten privates of the company of the 11th regiment to be attached to Lieutenant Simpson's five and half-inch howitzer.

One

One serjeant and ten privates of the 11th regiment to be attached to Bombadier Cassie's five and half-inch howitzer.

The remainder of the company of the 11th regiment to be attached to the eight-inch howitzer; and, if wanted, they possibly may be sent with some of the former-mentioned pieces.

GENERAL ORDERS.

*Head Quarters, Sand-hills, Three miles
East of Ostend, 19th May, 1798.*

Major General Coote takes the earliest opportunity of congratulating the troops on the entire success of the day, in having completed the important object of the expedition; no words of his can express his gratitude to every rank.

To the council, ability, and exertion of Major General Burrard, the General feels the warmest acknowledgements, and requests he will have the goodness to accept his most sincere thanks.

Major General Coote has much to commend in the conduct of Colonel Calcraft, commanding the Guards on shore; Colonels Cunningham and Campbell, and Captain Armstrong of the same corps; Colonel Hely, commanding the 11th regiment; Major Donkin, of the 44th regiment, commanding the Light Infantry; Major Skinner of the 23d regiment, commanding the Grenadiers; and Captain Walker, commanding the Royal Artillery; and Captains Wilson and Godfrey, of the same corps.

Major Generals Coote and Burrard at the same time request these officers to convey to the officers
and

and soldiers of their respective commands, their *entire* approbation of their conduct.

To Captain *Winthrop*, of His Majesty's ship *Circe*; *McKellar*, of his His Majesty's ship *Minerva*; *Bradby*, of His Majesty's ship *Ariadne*; and officers and seamen of the Royal Navy, employed on shore; the General has to return his sincere thanks.

In Lieutenant Brownrigg, of the Royal Engineers, were found infinite ability and resource, and it must be to his uncommon exertions, that the success of the enterprise is in great part to be attributed, and for which the General cannot too strongly express his approbation.

The zeal and spirited conduct of Lieutenant Gillham, of the Suffex Militia (who, in an open boat from Dover, voluntarily joined the expedition) deserve to be noticed in the strongest manner by the General, and for which he requests Lieutenant Gillham will accept his best acknowledgements.

Major General Coote cannot omit bestowing the very high encomiums which are justly due to Mr. Jarvis, Surgeon, at Margate, who, in the handsomest manner, joined the expedition, to render every professional service in his power.

By order of Major General COOTE.

M. THORLEY,
MAJOR OF BRIGADE.

GENERAL

GENERAL ORDERS.

Liste, June 2, 1798.

To prevent abuses and complaints, the orders here given are to be rigidly observed.

Beef shall be delivered in whole quarters, in the prison, and there weighed and examined; according to the contract it ought to be *best*; if not, it is to be rejected. Hind and fore quarters are to be served by turns, and without the least deviation.

The contractors are to find scales and legal weights, called *Poids de Mare*, which are to be kept in the prison. The meat is then to be cut up in proportion to the messes, under the inspection of the persons mentioned in the instructions.

For the inspection of provisions, wood, &c. a committee of five must be chosen, (persons of the best character) one of whom, at least, should speak French.

The *Bread* is to be good, according to contract, and issued at eight o'clock in the morning; and at noon the *Beer*.

The *Wood* is to be delivered into the prison, and there remeasured, and if found just, to be put in store, and issued according to your directions, or those of the person under your orders.

Candles are to be delivered and served out in the same manner.

With regard to *Ustensils* for the messes, you are to see, that they are delivered only where they are absolutely wanted, and, if broken or lost, they are to be replaced by the messes themselves, as none are to be

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issued

issued after the first time. All the articles are to be inspected, and you, or the person employed under you, will sign the issues.

Soap—Two ounces are to be delivered on Mondays to each prisoner, and inspected as above.

Beds—The palliasses and coverlets are to be good, wholesome, and clean, according to the contract, or to be rejected.

Clothing—Before the clothing is to be issued, you are to satisfy yourself of the necessity of providing it; then you will see that the articles are good, and in all cases equal to the sample which shall be sent to you, with the prices annexed to each article; if they are not so, you are to return them to the contractors. No clothing is to be issued without your order, and you are to see, that all those who receive it sign for the articles, or make their mark. A regular account must be kept that no abuse may be made of this indulgence. No persons found to have sold or lost their clothes, shall, on any account, be provided with others.

From your situation and local knowledge of the prison, you must necessarily be competent to judge what may be proper to be done for the good of His Majesty's service, and the cause of humanity.

To your zeal and activity I recommend the above regulations, which I have not the least doubt you will see carried into execution.

(Signed) JAMES COTES, Agent.
Paris, 27th May, 1798.

N. B. These orders have been delivered to each of the depots of Orleans, Fontainebleau, Versailles, and Leon, addressed to the different Surgeons who have the charge of them.

A Table

A Table of Viſtalling for Priſoners of War, in health, at Liſle.

DAYS.	BEEF.	BREAD.	BEEF.	PEAS.	SALT.	
Sunday -	1 Quart	1 $\frac{1}{2}$ Pound	$\frac{3}{4}$ of a Pound	$\frac{1}{2}$ Pint	$\frac{1}{3}$ of an Ounce	N. B. French weight and measure, which is larger than the English. When greens are iſſued out inſtead of peas, a pound of greens will be given for each man. Each priſoner to receive two ounces of ſoap per week. JAMES COTES, Agent.
Monday -	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	—	$\frac{1}{3}$ Ditto	
Tueſday -	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	$\frac{1}{2}$ Pint	$\frac{1}{3}$ Ditto	
Wednesday	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	—	$\frac{1}{3}$ Ditto	
Thursday	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	$\frac{1}{2}$ Pint	$\frac{1}{3}$ Ditto	
Friday -	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	—	$\frac{1}{3}$ Ditto	
Saturday	1 Ditto	1 $\frac{1}{2}$ Ditto	$\frac{3}{4}$ Ditto	—	$\frac{1}{3}$ Ditto	
Total	7 Quarts	10 $\frac{1}{2}$ Pounds	5 $\frac{1}{4}$ Pounds	1 $\frac{1}{2}$ Pint	2 $\frac{1}{3}$ Ounces.	

GENERAL ORDERS.

Lisle, 6th June, 1798.

Translation of Orders transmitted to Major General Burrard for the English Prisoners, by the Commandant of the Citadel of Lisle, which are to be punctually and duly obeyed.

The prisoners to parade in the square, mornings at nine, and evenings at seven o'clock. All officers to attend; the roll to be called in presence of a French officer, who will see, that the number of men on parade corresponds with a return given to him.

The prisoners will be allowed to walk in the Square from seven till nine in the morning; and from five to seven o'clock in the evening; and as soon as the parades are over, they will be marched to their respective barracks, by the non-commissioned officers. An officer of each company to visit the barracks, at eight o'clock in the morning, and before four in the afternoon, to see that the rooms, passages, and stair-cases are swept and cleaned, the beds carefully put up, the windows opened, and every other requisite punctually obeyed.

The senior serjeant of companies will be answerable to a daily visiting officer of the French, who is responsible for the execution of these orders to the Commandant of the Citadel, and to the Orderly Captain of the garrison. All officers, non-commissioned officers and soldiers are strictly forbidden to commit any nuisance against the walls of the barracks or pavilions, or to throw water out of the windows.

The

The conveniencies are to be kept clean, on pain of close confinement in prison. Each company to furnish four men to clean the barracks and streets adjoining, and to carry the dirt to a place destined for that purpose.

The sick of each company are to be brought, at nine o'clock in the morning, to the Surgeon of the Citadel, who will send them, if necessary, to the Hospital, accompanied by a serjeant, with a note expressing the rank, name, company, regiment, and country of each; at the same time the Quarter Master or an officer will give a return of the sick at the Commandant's office, and fill up the hospital billets with the names, &c.

A return of all the English prisoners, mentioning those absent from parade, the admitted to, and discharged from the Hospital, the confined and released from prison*, signed by Major General Burrard, is also to be sent to the Commandant, at nine o'clock.

All soldiers to be confined, to be taken to the guard, with a note as per form, expressing the name of the prisoner, the number of the regiment, and company he belongs to.

The drum for mess to beat at one o'clock; an English drummer to use the drum belonging to the French picquet, at the gate.

All those found straggling about the square, or beyond the district of their quarters, after evening parade, will be taken up and confined. The officers to be in their respective quarters at ten o'clock.

* The word prison is here meant to signify *close confinement on bread and water*.

The Commandant holds the officers responsible for the due execution and punctual observance of the above orders.

(Signed) DROIT,
Commandant of the Citadel
of Lisle.

Lisle, June 10th, 1798.

*Translated Copy of a Letter to Major General Burrard,
from the Commandant of the Citadel of Lisle.*

SIR,

I have the honor to acquaint you, that the Naval Commissary, at Gravelines, has informed me of the English prisoners being allowed to send any letters to England, provided there are no politics contained in them, as any thing of that nature will prevent the whole from going.

That I may the more easily send the letters, I shall be obliged to you to appoint one officer per regiment, or an officer who will receive all the letters of the English prisoners, and afterwards bring them to me, by ten o'clock at the latest, on the 1st, 3d, 5th, 7th, and 9th of every Decade, that I may send them to the port without delay.

I have further to say, that I shall not receive any letters but those given in to me by that officer.

(Signed) DROIT,
Commandant of the Citadel
of Lisle.

ENGLISH

ENGLISH GENERAL ORDERS.

Lisle, 10th June, 1798.

Capt. Duff will take all the letters intended for England to the Commandant, and the officers commanding corps are requested to prevent the non-commissioned officers and men from inserting any thing improper in their letters, and to examine them before they deliver them to Captain Duff by their several adjutants at 4 o'clock this afternoon, and at the same hour on the 2d, 4th, 6th, and 8th, of every decade. No letters will be received without being paid for,—and to prevent the increase of postage, it is recommended to the officers and men to write their Letters on small sheets of paper.

GENERAL ORDERS.

Lisle, 30th June, 1798.

Major General Coote, though extremely unhappy, that the result of the expedition should have proved so unfortunate, after the effectual manner in which the object was attained, cannot avoid, in addition to the order of the 19th of May, congratulating the seamen and troops on the annexed extract of a letter he has received from Col. Brownrigg, and which he takes the earliest opportunity of communicating to them, whereby they will perceive their conduct has met with the full and perfect approbation of his Royal Highness the Commander in Chief.

The uneasiness the Major General has felt from the unavoidable difficulties the troops have undergone, and from the loss of so many brave men,

is not to be expressed. That all that brave men, unable to combat wind and surf, could do, in their critical situation, was done, and that they have thereby merited the approbation of his Royal Highness the Duke of York, are comforts, that must afford them the most sincere and heartfelt satisfaction.

Major Generals Coote and Burrard, are fully convinced, that the British Government, ever ready to assist those who have acquitted themselves with so much honour in the service of their country, will omit nothing on the present occasion to render them every relief, of which their situation will admit.

They flatter themselves, that the troops are well satisfied, that every possible exertion on their part, will be made to promote the comforts of their fellow prisoners and sufferers, and assure them, that their anxiety for their situation can only be equalled by their endeavour to relieve them.

Extract of a Letter from Col. Brownrigg to Major General Coote, dated Horse-Guards, 27th May, 1798.

“ I have it in command to assure you of his Royal Highness's perfect satisfaction of your conduct, and of that of the officers and troops under your orders in the late gallant enterprize at Ostend; and that the regret his Royal Highness feels at the termination of it not having been more fortunate, is fully compensated by the effectual manner in which the object has been executed. A detail, from you, of the circumstances that took place, will be satisfactory, accompanied by a return of the officers and troops made prisoners of war. The Duke of York relies on the
liberality

liberality of the enemy to treat them with that humanity their bravery so highly merits".

(A true copy)

Signed, M. THORLEY,

Major of Brigade.

GENERAL ORDERS.

Citadel of Lisle, 12th July, 1798.

Mr. Fullelove having charge of the medicines sent from England, as well as of those purchased in this country, will, assisted by Mr. Cobb, attend every day, at 11 o'clock, at the hospital, where a serjeant from the 23d and 49th regiments, with a proper person from the sailors, appointed by Capt. Mac Keller, are to take the sick to be inspected by those gentlemen.

No man is to be sent to the General Hospital in town, but by direction of Mr. Fullelove.

M. THORLEY,

Major of Brigade.

GENERAL ORDERS.

Citadel of Lisle, 1st August, 1798.

Major General Coote has received the following arrangement for the quantity of provisions to be issued by the contractor to the prisoners, and which has been settled by the British Government to commence on the 1st August, 1798 :

Sunday	{	One quart of beer, or 1 pint of good wine.
		One pound and a half of bread.
Tuesday		$\frac{1}{2}$ of a pound of fresh ox or heifer beef.
Thursday		One half pint of pease.
		One third of an ounce of salt.

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Monday,

Monday	{ One quart of beer, or 1 pint of good wine.
Wednesday	{ One pound and a half of bread.
	{ $\frac{1}{4}$ of a pound of fresh ox or heifer beef.
Friday	{ One third of an ounce of salt.
	{ One quart of beer, or 1 pint of good wine.
	{ One pound and a half of bread.
	{ Four ounces of butter.
Saturday	{ Six ounces of cheese.
	{ One half pint of pease.
	{ One third of an ounce of salt, &c.
	{ Two ounces of Marseilles soap.

GENERAL ORDERS.

Citadel of Lisle, 25th August, 1798.

Major General Coote having obtained permission to go for 3 months to England, begs to acquaint the seamen and troops, that he shall have the utmost pleasure to report to government their very proper, regular, and respectful behaviour, since they have had the misfortune to be taken prisoners.

Such conduct reflects upon them the *highest credit*, and must insure to them the *warmest* regard of their countrymen.

Major General Coote, has, upon a former occasion, assured them of his warmest support and utmost endeavour to relieve them from their unpleasant situation; he has now to repeat the same, and to express in strong terms, his opinion of their good conduct, and has to add, that a negotiation for an exchange of prisoners has been entered upon between the English and French governments, and which is still under consideration; he therefore assures the seamen and troops, that every possible exertion will be used by him to endeavour to make the result favourable to their wishes.

GENERAL

GENERAL ORDERS.

Citadel of Lisle, 10th Sept. 1798.

The Commandant of the Citadel having requested, that the annexed decree of the French government should be made known in a particular manner to the prisoners of war, Major General Burrard desires it may be read to the men by companies on their own parades, and put up in their barrack rooms. He hopes the men will seriously reflect, into what a very unhappy situation they bring themselves by attempting to desert, and he wishes them to know, that such attempts cannot succeed, but will only tend to injure most materially, all the prisoners of war in the country, who are indebted for their present indulgences to their quiet, good behaviour.

In the Name of the French Nation.

Law,—which inflicts punishment against prisoners of war who leave the places fixed for their residence in confinement without the permission of the government:

9th Prairial, 3d Year of the French Republic, one and indivisible, (28th May, 1795.)

The National Convention, after having heard the report of the Committee of Public Safety, decrees,

ARTICLE I. Every person made prisoner of war by the arms of the French Republic, and detained in France as such, who shall quit the place of his residence, or confinement, without permission of the government, to be kept in irons for six years; but if found in the department of Paris shall suffer death.

ARTICLE II. Any prisoner of war, even after he has been exchanged, who shall be found in the

department of Paris without the express order of the government, shall quit the same in *four-and-twenty hours* after the publication of the present decree.

Every offender after the expiration of that time, shall suffer death.

ARTICLE III. Courts Martial, consisting of five members, assembled in the capital of the district wherein the offender has been apprehended, are to put into execution the punishments awarded by the present decree.

The Court Martial to be nominated by the General of Division, commanding in the neighbourhood of the place of its meeting.

The present decree to be inserted in the official records of correspondence, which shall be held in the same force as published.

Revised by the Representative of the people ; Inspector of verbal depositions.

Signed,

S. E. M.

Compared with the original,

Signed,

President.

Secretaries.

A true copy. Signed,

Members of the
Council of the promulgation of the laws.

Copy

*Copy of a Letter from the Commandant of the Citadel of
Lisle to Major General Burrard, 25th October, 1798.*

“ Having received orders, that all the prisoners of war detained in this place shall be closely confined, and shall not be allowed to come out until further orders: I am obliged to adopt a measure the more disagreeable to me, as hitherto I have always had reason to praise the conduct which you have never ceased to pursue since your arrival in this place. I hope, however, this measure will be of short duration, and that the Commander in Chief, to whom I have written, will not delay to revoke it.

It will be necessary to have all the bedsteads that are in the bomb proofs brought into the yard of the government house; those that are in the barrack-rooms may remain until I can provide other quarters for your troops.

The guards may stay in their present quarters, provided they are all contained in the rooms over the gateway: The officers will be allowed to keep but one servant each, with the restriction, that after six o'clock at night, they are not to leave their quarters. All those who shall be found out after hours, shall be sent to their respective companies, and shall not in future be allowed to act as servants. It will be necessary to have some distinguishing mark between the servants and their comrades, so that they may act without interruption.

The officers are not to go into the canteens after retreat beating. I am to request you will make the necessary arrangements to have the abovementioned orders put into execution in the course of this day.

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As no infirmary can be allowed, the names of all the sick must immediately be given into me, and they shall be this day sent to the hospital.

(Signed) DROIT.

Copy of a Letter from the Commandant of the Citadel of Lisle to Major General Burrard, in the Service of Great Britain, Prisoner of War.

27th Oct. 1798.

SIR,

IT is with the greatest pleasure that I announce to you, that your troops may again occupy their former Quarters, and that they shall enjoy the same liberty as before. I must, however, request, that you will recommend to your officers the most exact attention to preserve tranquillity amongst the soldiers, and that after the evening parade they are not to appear in the Square, or to quit their quarters, except to go to the most contiguous convenience. The officers and non-commissioned officers are not to go to the canteens after the retreat. The officers servants are not to stir out after six o'clock at night, and are to continue to be distinguished from their comrades by the mark on their left arm. Orders are given to take up officers, sergeants, and others, who do not conform to these rules. Nothing is charged in respect to the officers who may choose to walk peaceably at night about the Square. General, I depend upon your zeal, and upon that of the officers; and I expect from your activity, that I shall not ever run the risk of being reproached for the steps I have taken with the Generals and the Administration

ministration to obtain liberty for your troops. I remain, with the most perfect consideration, &c. &c.

(Signed) DROIT.

GENERAL ORDERS.

Citadel of Lille, 6th Nov. 1798.

A NUMBER of officers having received permission to go to England, with their servants, upon parole,—the officers hereafter named will remain, as well to see justice done to the men, as to take charge of them on their march, when the exchange, which is soon expected, takes place.

Names of the Officers who are to remain.

William Askew,	Lieutenant	} Royal Navy
William Marsh,	Master's Mate	
John Nesbitt,	do. do.	
Thomas Bailey,	Midshipman	
Capt. Lieutenant Charles Godfrey		} Royal Artillery
First Lieutenant Charles C. Clifton		
Second Lieut. Courtney Ilbert		
Colonel —	David Cunningham	} Guards.
Captain —	Edward Stephens	
Captain —	Willoughby Bean	
Surgeon —	John Fullelove	
Quarter Master —	Selway	
Major Phillip K. Skinner		} 23d, or Royal Welch Fusiliers
Captain Thomas Burry		
Lieut. Henry H. Hanson		
Lieut. Jacob Ogden Van Cortlandt		
Lieutenant —	George Pearson	} 49th Reg.
Assist. Surgeon John Williams		
Assist. Surgeon R. C. Cobb		
		Major

Major General Burrard is happy to have it in his power to make so good a report of the behaviour of all the Prisoners of War on his arrival in England, and he assures them he will lose no time, in making known to the Lords of the Admiralty, and to His Royal Highness the Commander in Chief of His Majesty's forces, how much reason he has to be satisfied with their conduct: he has only to add, that he hopes, with confidence, they will continue, for the very short space of time they have to remain in France, to deserve the praises they have hitherto so well merited.

He requests the officers and men will accept his thanks for their attention and conduct; and assures them, there is nothing he wishes so much, as an opportunity of proving to them, how much he is obliged to them.

This order to be read by companies to the men this evening, after roll-calling, and the men to be informed that Major General Burrard has received information from Captain Cotes, the British Commissary at Paris, that he has received orders from England, for the exchange of the Prisoners of War, in the Citadel of Lisse.

M. THORLEY,

Major of Brigade.

Having thus given a detail of the orders, instructions, &c. respecting the expedition to Ostend, I shall now present to the public its ultimate issue, in the trial of Major Andrew Armstrong, of the 11th Regiment of Foot; before a General Court Martial that was assembled in the Royal Hospital at Chelsea, on Saturday the 22d day of June, 1799.

Colchester. May 26, 1799.

DEAR SIR,

I have to acknowledge your's of the 23d instant; but before I had time to make known its contents to Sir William Howe, I received a letter from Lieut. Col. Hope, (of which the inclosed is a copy) which of course renders any application for an extension of your leave of absence unnecessary; I sincerely hope the investigation of this affair will turn out to your satisfaction, and I am,

Dear Sir, very truly your's,

Signed, R. T. DONKIN.

Major Armstrong,
11th Regiment of Foot.

London. No. 5, Clarges Street, W.

25th May, 1799.

SIR,

I am directed to signify General Sir William Howe's orders,—in consequence of commands received from his Royal Highness the Commander in Chief, that you put Major Armstrong, of the 11th of Foot, under an arrest at large, and that you direct him to proceed to London, in order to answer a charge exhibited against him by Captain Wiltshire Wilton, of the Royal Artillery, “ of mis-
“ behaviour in the face of the enemy on the evening
“ of the 19th of May, and on the 20th of May,
“ 1798, on the Sand-hills near Ostend.”

Major Armstrong will report his arrival in town to the Adjutant General, and in the mean time is to

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send

send me information of how soon he will be prepared to meet this investigation.

I have the honour to be,

Sir, your most obedient Servant,

Signed,

ALEX. HOPE,

Officer Commanding the 11th Major of Brigade.

Regiment of Foot, Colchester.

Should Major Armstrong be absent from quarters, communicate the above order by letter.

Signed,

A. H.

Judge Advocate General's Office,

SIR,

Grafton-Street, 1st June, 1799.

BEING informed, that a special warrant is Prepared for his Majesty's signature, appointing a General Court Martial for your trial, upon charges preferred against you by Captain Wiltshire Wilson, of the Royal Regiment of Artillery, I have, for the sake of dispatch, obtained a copy of the articles, as therein recited, and transmit the same to you herewith. As soon as the warrant under the sign manual, shall be transmitted to me, no time will be lost in convening the Court Martial, which will be held at the Royal Hospital at Chelsea. In the mean while, if there are any witnesses material for your defence, whom you wish to be officially summoned, you will be pleased to acquaint me with their names and address. I am, Sir,

Your most obedient humble Servant,

Signed,

CHARLES MORGAN.

Major Andrew Armstrong, of the

11th Regiment of Foot.

AT A GENERAL COURT MARTIAL, held at the Royal Hospital at Chelsea, on Saturday the 22d day of June, 1799, and continued by Adjournments till Thursday the 27th of the same Month, by Virtue of a special Warrant from His Majesty, bearing date the 5th day of June, 1799.

Lieutenant General GEORGE HOTHAM, President.

Lieutenant General James Marth.

Major General Duncan Drummond.

Major General Francis Lord Heathfield.

Major General Sir James Pulteney, Bart.

Major General William Loftus.

Major General Hon. George James Ludlow.

Colonel Isaac Gascoyne, of the 34th (or the Cumberland) regiment of foot.

Colonel William Orchard Huddleston, of the Royal Regiment of Artillery.

Colonel John Lemoine, of the Royal Regiment of Artillery.

Colonel Brent Spencer, Aid de Camp to the King.

Lieutenant Colonel William Carlyon Hughes, of the 87th (or Prince of Wales's Irish) Regiment of Foot.

Lieutenant Colonel James A. Stewart Wortley, of the 1st Regiment of Foot Guards.

Lieutenant Colonel John Smith, of the Royal Regiment of Artillery.

JOHN AUGUSTIN OLDHAM, Deputy Judge Advocate General.

The several Members of the Court being sworn, and the Judge Advocate also sworn ;

MAJOR ANDREW ARMSTRONG, *of the 11th (or the North Devonshire) Regiment of Foot, came Prisoner before the Court, and the following Charges, preferred by Captain Wiltshire Wilson, of the Royal Regiment of Artillery, were exhibited against him, viz.*

1st. " Quitting his Regiment or Division on the 19th and 20th days of May, 1798, (when on Service near Ostend) without leave of his superior officer, in contempt of the 8th Article of the 14th Section of the Articles of War.

2nd. " Misbehaving himself before the Enemy by shamefully abandoning his Post on the 20th of May aforesaid, in contempt of the 20th Article of the 14th Section of the Articles of War."

MAJOR ARMSTRONG, *admitted that he is, and was at the times specified in the Charges, Major of the 11th Regiment of Foot.*

CAPTAIN WILTSHIRE WILSON, *of the Royal Regiment of Artillery, by whom the Charges had been preferred against Major Armstrong, attending in order to conduct the prosecution thereof, addressed the Court as follows :*

" GENTLEMEN,

" THERE cannot be any situation to which an officer can be called, more distressing to his feelings, than that of prosecuting a brother officer, for supposed breaches of duty; and perhaps there have been few cases, in which the circumstances could be more unpleasant to the prosecutor than those which have induced the present inquiry. Yet, in whatever light I may appear to you, Gentlemen, I trust in being able to convince the Court, Major Armstrong, and every individual

“ Individual present, that not any thing of a personal
 “ nature, not any thing of private pique could have
 “ induced me to prefer any charge whatever against
 “ Major Armstrong. No, Gentlemen, I most so-
 “ lemnly aver to you, that prior to the grounds upon
 “ which the present inquiry is founded, I never
 “ could have experienced any sentiments towards
 “ Major Armstrong, unbecoming himself or me, as
 “ we were not acquainted until the expedition to
 “ Ostend, and that whatever may have subsequently
 “ taken place between us, which could be supposed
 “ to produce personal prejudice, shall not in the
 “ smallest degree influence my conduct, in the
 “ course of this prosecution.”

“ To you, Gentlemen, it may appear singular; to
 “ the Army at large it must seem extraordinary;
 “ that I should have been instrumental in bringing
 “ Major Armstrong, of the Eleventh Regiment of
 “ Foot, before this Honourable Court, to answer
 “ for offences supposed to have been committed in
 “ the presence of the officers of his own corps. Why
 “ they did not prefer the charges, it does not become
 “ me to say, and delicacy will preclude my offering
 “ any suggestion on the subject. To you, Gentle-
 “ men, however, it becomes an essential duty to my
 “ own Character (which I trust has hitherto re-
 “ mained unsullied as an officer) that I should state
 “ the means, by which I have been brought forward
 “ to the situation in which I now stand; and that I
 “ will do in as succinct a manner, as the matter in
 “ question will admit. In the Expedition against
 “ Ostend, on the 19th and 20th of May, 1798, my
 “ situation was such, as to afford me very ample
 “ opportunity of observing every movement of the
 “ Troops in the redoubt, where as an artillery officer
 “ I was posted, and in which Major Armstrong also
 “ was stationed with a detachment of the 11th
 Regiment;

" Regiment; and from this circumstance it might
 " be supposed I should be enabled to speak, as to
 " the part Major Armstrong took in the service of
 " the 20th. Upon this supposition, Captain Sirie,
 " when a fellow prisoner with me in the Citadel
 " of Lisle, asked my opinion of Major Armstrong's
 " conduct on that day; and as I considered Captain
 " Sirie's question went only to private information,
 " I readily answered him, as it appeared to me, that
 " he had run away: indeed so general were the
 " imputations on Major Armstrong's conduct, that
 " I naturally supposed a public investigation would
 " be the consequence, although I had not the most
 " distant idea of my being made the chief instru-
 " ment therein; nor did it ever occur to me, that
 " I should have been singled out to answer for im-
 " putations (in which I had not borne so distin-
 " guished a part as many others) until the month of
 " December, 1798, when I received a letter, from
 " Major Armstrong, requiring an explanation of my
 " conversation with Captain Sirie; of which the
 " following is a copy.

" *Fort de Scarpe, Nov. 30th, 1798.*

" SIR,

" CAPTAIN Sirie, of the 11th re-
 " giment, has informed me, that you made use of
 " the following words or expressions in his presence,
 " in the Citadel of Lisle, viz. That Captain Wil-
 " son said, that when the 11th regiment ran away,
 " that Major Armstrong was one of the first; and
 " further said, that if he had Captain Sirie or Captain
 " Knight present at the time he spoke to Major
 " Armstrong, that he would have the matter brought
 " forward, or words to that purpose.

" I now, Sir, beg to know from yourself (by the
 " bearer of this letter), if you at any time made
 " use

“ use of such an infamous false assertion; in case you
 “ have done so, my days in prison will bear doubly
 “ heavy on account of my present situation, in not
 “ being able to have a meeting; but the time I hope
 “ is not far distant, when I shall convince you, that
 “ what you wished to try and deprive me of, and
 “ what I hold more sacred than any thing else in
 “ life, shall be determined.

“ I was posted in a small redoubt, the guards
 “ were immediately on my right, and from which
 “ post I never departed until taken prisoner, except
 “ when the general sent me to bring in Captain
 “ Martin’s picquet of the 11th regiment; and after-
 “ wards when a party of the regiment ran from the
 “ left of the line immediately in rear of my post,
 “ when I went to bring them back, which I did in
 “ less time than two minutes.

“ I have the honour to be, Sir,
 “ Your obedient Servant,

“ *Capt. Wilson,* “ **ANDREW ARMSTRONG,**
 “ *Royal Artillery,* “ Major 11th Foot.

“ *Colchester?* and to which, I immediately returned the following
 answer:

“ *Colchester; 12th Dec. 1798.*
 “ **SIR,**

“ I had yesterday the honour of re-
 “ ceiving your letter of the 30th of November, in
 “ which you recapitulate words or expressions, which
 “ you state Captain Sirie had informed you I had
 “ made use of in his presence, in the Citadel of Lisle,
 “ and which appears from your letter related to the
 “ affair near Offend, where the 11th regiment was
 “ concerned.

“ I do not hesitate to acknowledge I had a con-
 “ versation with Captain Sirie, during his residence
 “ at

“ at Lisle, and most naturally the subject might be
 “ supposed to turn on the events of the time to
 “ which you refer; but such conversation I considered
 “ as private and confidential, as I little doubted, but
 “ the transactions of that period would become the
 “ subject of public investigation, in which I might
 “ have been expected to be called upon as an evi-
 “ dence.

“ Therefore if such enquiry is still in contempla-
 “ tion, you must pardon my entering upon any fur-
 “ ther correspondence, until the result of it is made
 “ public, which most probably will determine whe-
 “ ther any subsequent explanation will be necessary.

“ I have the honour to be, &c.

“ *To Major Armstrong,* “ W. WILSON.”

“ *11th Regt. of Foot.*”

“ In a very few days after Major Armstrong had
 “ received such letter, he arrived at Colchester where
 “ I then was; he there asked further explanation of
 “ me, which I declined to give, or to communicate
 “ further with him, until he had cleared himself
 “ from the stigma of cowardice, under which he
 “ then did, and still does, labour; but with what
 “ degree of justice, this honourable Court will deter-
 “ mine. Such, however, were the circumstances
 “ alluded to, that I conceived it my duty to lay the
 “ transaction before such of the officers of the 11th
 “ regiment and royal regiment of artillery, as were
 “ then at Colchester, and I had the satisfaction to
 “ find my conduct justified by them, and that it was
 “ their several opinions, that I ought not to notice
 “ Major Armstrong until all doubts in regard to his
 “ courage and honour were removed by a public in-
 “ vestigation of his conduct. But as I did not imagine
 “ it became my distinct duty to call for such investiga-
 “ tion as regarding the public service, I waited in daily
 “ expectation

" expectation of its coming from another quarter ;
 " until the officers of the regiment to which I have
 " the honour to belong, took serious notice of the
 " affair, and compelled me to seek this enquiry, as
 " will be seen by the papers No. 1, 2, 3, 4, 5, if it
 " seem expedient to the Court to peruse them.*—
 " Such, gentlemen, have been the means, by which
 " I have been led, step by step, to become the prin-
 " cipal in this prosecution ; and although I disclaim
 " all motives of personal enmity to Major Armstrong,
 " yet I will not shrink from what I conceive to be
 " my public duty,—a duty which I never have, nor
 " ever will forego, while I have the honour to bear
 " a commission in His Majesty's service, although I
 " cannot but confess, gentlemen, that it is the most
 " painful duty I ever performed. I have only to
 " add, that the evidence on the part of the prosecu-
 " tion must be weak in comparison to what in all
 " probability it would have been, had Capt. M'Keller
 " of the royal navy, Major Thorley (who acted as
 " major of brigade to the expedition) and the non-
 " commissioned officers of the 11th regiment been
 " in England. Yet, as I consider any delay not
 " absolutely necessary, and as a present injury to
 " Major Armstrong, I have preferred to proceed on
 " this enquiry without their evidence, rather than
 " to submit Major Armstrong and the service to in-
 " convenience by any further procrastination. Thus
 " impelled by a sense of my public duty, thus feeling
 " towards Major Armstrong, and thus circumstanced
 " by the absence of those officers and non-com-
 " missioned officers already mentioned, if the evidence
 " to be adduced in support of this enquiry be not
 " sufficiently strong to convict Major Armstrong, yet

* The Court did not deem it necessary to call for the production of the papers referred to.

“ I trust these considerations will have their full
 “ weight; and I shall not be thought to have insti-
 “ tuted an investigation of the conduct of Major
 “ Armstrong from motives of malice or personal
 “ pique, or to have made a groundless and vexatious
 “ complaint against him. If, gentlemen, the charges
 “ should be fully proved against Major Armstrong;
 “ I shall lament the fate of the individual, although I
 “ shall rejoice at the degradation of any man who has
 “ been proved negligent of his duty as an officer, who
 “ has disgraced that commission he bore under His
 “ Majesty, and injured that service he was every
 “ way bound to protect and promote. In saying this,
 “ gentlemen, I do not mean it particularly to Major
 “ Armstrong, but to every man throughout the
 “ whole army, who shall shrink from the duties of
 “ his station. If, gentlemen, on the contrary, the
 “ result of this enquiry shall be honourable to Major
 “ Armstrong, and he shall be acquitted by your de-
 “ cision, I shall have nothing to regret on account
 “ of the individual, and I shall still have the con-
 “ sciousness of having discharged a duty I owed to
 “ my King, to the public service, and to the request
 “ of those officers who have been principally the
 “ means of rendering me the chief promoter of this
 “ enquiry.

“ WILTSHIRE WILSON,
 “ Captain Royal Regt. of Artillery.”

CAPTAIN WILSON, *in support of the first Charge,*
then called upon

LIEUTENANT WILLIAM ASKEW, *of the Royal*
Navy, late of the Vestal Frigate, but now of the Ship
Prince Frederick, who was sworn, and interrogated
by Captain Wilson's desire.

Q. Did he belong to the Expedition against Ostend,
 commanded by Major General Coote, in the month
 of May, 1798?

A. He

A. He did; he was employed on shore, with a party of seamen.

Q. Was he on the Beach on the 19th of May, 1798, and if so, at what time of the day?

A. He landed on the morning of that day, between three and four o'clock, with an eight-inch howitzer.

Q. Were any officers of the 11th Regiment on the Beach with him, on the evening of the same day, and if there were, who were they?

A. He saw an amazing number of officers and men of the 11th Regiment, but he was not acquainted with them sufficiently to know them, except a Captain of the light infantry, but he did not see him there.

Q. Does he know Major Armstrong of the 11th Regiment of Foot?

A. The first time he saw Major Armstrong was in the Citadel at Lisle;—they were then prisoners.

Q. Did he see Major Armstrong on the 19th of May, 1798?

A. He might have seen him, but he did not know him:—he saw a great many officers endeavouring to launch the boat, and encouraging the men to do so, but he does not know one officer from another.

Q. Did he hear any conversation between Captain M'Keller and Major Armstrong, or any other person with him?

A. He heard Captain M'Keller in general conversation say, it was damn'd hard, they could not get the boat off.

LIEUTENANT CHARLES COLES, of the Royal Navy, and a Lieutenant of the *Amelia* Frigate, being sworn, was examined by Captain Wilson's desire.

Q. Did he belong to the Expedition against Ostend, commanded by Major General Coote, in the month of May, 1798?

A. He did.

Q. Was he on the Beach on the 19th of May, 1798, and if so, at what time of the day after the blowing up of the sluices?

A. Yes; but he cannot say positively as to the time; but he believes between four and five in the evening, as near as he can guess.

Q. Were any officers of the 11th Regiment on the Beach with him at that time, and if there were, was Major Armstrong one of them?

A. There were; and Major Armstrong was one of them.

Q. Did he see Major Armstrong in any boat during any part of the 19th of May, and if he did, at what time?

A. He saw him in the Launch, which was pretty near high and dry at the time, on the Beach, about six or seven, it was rather late in the evening, but day light.

Q. How long did Major Armstrong remain in the boat?

A. He cannot say, not seeing him get out.

Q. Did Major Armstrong at that time appear to the witness to be endeavouring to go off to the shipping, or not?

A. He conceives, he was in the boat for that purpose.

Q. Did he hear any conversation pass between Major Armstrong and Captain M'Keller at this time?

A. No.

Q. Did he hear any officer desire Major Armstrong to come out of that boat?

A. He did not.

Q. (*By desire of Major Armstrong*) How long has he known the person of Major Armstrong?

A. Never previous to the affair at Ostend, nor did he indeed know it was Major Armstrong at the time he

he was in the boat ; but on seeing him afterwards at Lifle, he knew him to be the same person that was in the boat.

Q. (*By the Court*) Did he understand that at the time he saw Major Armstrong in the boat, that there was any order for the re-embarking of the troops?

A. It was understood so.

Q. (*By desire of Major Armstrong*) Did he, at the time he saw Major Armstrong in the boat, know or believe, that he had quitted his regiment or division, without leave of his superior officer?

A. He did not ; either the one or the other.

Q. (*By the Court*) Were there any other officers and men in the Launch at the time, with Major Armstrong?

A. Yes ; both officers and men ;—a great many men ; he believes, two companies.

MAJOR GENERAL EYRE COOTE, *who commanded the Expedition against Ostend, being sworn, was interrogated by Captain Wilson's desire.*

Q. Did he see Major Armstrong on the Beach, or in a boat, on the evening of the 19th of May, 1798, at Ostend?

A. He believes he saw Major Armstrong on the evening of the 19th of May, 1798, but whether on the Beach, or in a boat, he is not positive.

Q. In the course of that evening, does he recollect having ordered Major Armstrong to come out of a boat?

A. He perfectly recollects ordering the detachment or a part of the 11th regiment, that were in a boat to disembark, because the Captains of the Navy on shore, (Captains Winter and M'Keller, he rather thinks) informed him, that if they remained in the boat, they might be drowned, or the boat swamped.

Q. Does

Q. Does he recollect having given Major Armstrong orders to re-embark with that detachment, either personally, or through any officer?

A. He of course did order the detachment of the 11th Regiment to re-embark, as he was very anxious for them to re-embark; but Colonel Hely commanded that regiment, and he was to give the orders for their being re-embarked, and for whatever part of the regiment he chose, as it was his (the witness's) witness, that all the troops should be re-embarked:—and it was his intention that the 11th regiment should be re-embarked first, the grenadiers next, the light infantry next, and then the light infantry of the guards.

Q. (By the Court) Did the General conceive Major Armstrong guilty of any misconduct on the 19th of May, either by being in the Launch, or by being on the Beach?

A. He conceives, whether he was in the Launch, or on the Beach, it was immaterial to the service—the regiment was ordered to re-embark, and Colonel Hely was to order the re-embarkation of the regiment in whatever way he thought best, and in neither case, does he (the witness) as far as came to his knowledge, know that Major Armstrong was guilty of misconduct.

CAPTAIN DAVID BLAIR, *Adjutant of the 11th Regiment, being sworn, was asked by Captain Wilson's desire.*

Q. Did he see Major Armstrong in a boat on the evening of the 19th of May, 1798, at Ostend?

A. No.

Q. Did Colonel Hely give Captain Blair any orders respecting the re-embarking of the 11th regiment on that day?

A. Yes; two companies of the 11th regiment were ordered to re-embark, and he attended Colonel Hely

Hely to the shore with those two companies.—Colonel Hely then sent him back to the place where the regiment was posted, for two companies more, but they were stopped in their way to the Beach by General Coote, and marched back again.

Q. Did Colonel Hely give any orders to the witness, for Major Armstrong to re-embark with the first detachment?

A. He does not remember that he did.

Q. Does he remember to have heard, that Major Armstrong ever did receive any such orders, from any other person?

A. No.

Q. (*By desire of Major Armstrong*) Did Colonel Hely go down to the Beach with the two companies, in order to see Major Armstrong re-embark with them?

A. Colonel Hely was on the Beach at the time the companies were in the boats; he cannot say, whether it was to see Major Armstrong re-embark with them or not.

Q. (*By the Court*) Did Colonel Hely express any dissatisfaction at seeing Major Armstrong re-embarking with the two companies?

A. He never heard that he did.

Q. How many field officers were with the regiment?

A. Two; Colonel Hely and Major Armstrong.

Q. What proportion of the regiment was down on the Beach?

A. There were the men of two battalion companies, which he should suppose, was about one fourth of the battalion, besides the two companies which he was bringing down, but which were stopped by General Coote.

Q. Could Colonel Hely have ordered Major Armstrong

strong to re-embark with the two companies, without the witness's knowledge?

A. He might.

The Evidence in support of the First Article of Charge being closed;

CAPTAIN WILSON proceeded to offer Proof in respect of the Second Article of Charge, viz.

2d. " Misbehaving himself before the enemy, by
" shamefully abandoning his post on the 20th of
" May aforesaid, in contempt of the 20th Article
" of the 14th Section of the Articles of War;"—
and being himself sworn, deposed, that on the evening of the 19th of May, 1798, he was detached on the Beach at Ostend, with two six pounders, to observe the enemy, should they come that way :—on the enemy coming on next morning, he had received orders, from General Coote, to move with one of the guns to a small redoubt, made with sand bags, where he was some time engaged in front, being opposed by cannon. In the course of the action, part of the 11th regiment, which were still farther on, on the left, gave way, and retreated into the redoubt where the witness was; the consequence was, he turned his gun, in doing of which, he perceived Major Armstrong with a detachment of the 11th regiment, in that redoubt :—He is very sorry to say, he did not see him standing up, or giving that example to his men, which he conceives an officer of his rank should have done. Nay, so far from it, he almost blushes to say, he saw Major Armstrong run from his post with some of the men, in a most disgraceful and unofficer-like manner.

Q. (By desire of Major Armstrong) At what time, during the action, did this happen?

A. As near as he can recollect, it was about half
an

an hour, or forty minutes; before they surrendered; but in action, time can be but vaguely guessed at.

Q. How long did Major Armstrong remain in his redoubt, or wherever he saw him?

A. It is impossible for him to say exactly the time; but a very few minutes before he quitted the situation he saw him in, to make good his retreat up the hill.

Q. After he saw Major Armstrong in the rear, where did he see Major Armstrong go to afterwards?

A. The witness was at his post, and therefore those only in the rear can tell; as the hill he went up was in his rear, rather to the right.

Q. Did he, at any other time than he has already mentioned, see Major Armstrong from his post?

A. He did not; and is sorry he saw so much.

Q. (*By the Court*) As he says Major Armstrong was not standing up, in what position was he?

A. In a settled position, crouching down under the sand bags.

Q. How long was he in that position?

A. A couple of minutes, during the time he saw him in the redoubt, till he saw him go away from it.

Q. Did he make any observation upon seeing Major Armstrong in that position, either to the Major himself, or to any other officer, on that day, or on the day following?

A. He did not; but when he saw the troops which he conceived to be under Major Armstrong's immediate command, quit their post, and quit the redoubt, and the Major with them, he could not help jumping upon the sand bags, and haranguing the men to return to their duty, as he could not conceive any thing so disgraceful as their going off in the manner they had done.

Q. Was there any other officer of the 11th regiment in the redoubt, besides Major Armstrong?

A. Yes.

I

Q. How

Q. How many men of the 11th regiment were in the redoubt at the time?

A. Things were in that confusion, he can't speak to that point.

Q. Did all the men of the 11th regiment which were in the redoubt with Major Armstrong quit it when he did?

A. He believes all, except those who were wounded, as he was at that time obliged to go up to Captain Godfrey, who commanded on the hill above him, for some men to dismantle the witness's gun, as his post was abandoned, which he did, and reported to General Coote the circumstance.

Q. Did he observe whether Major Armstrong was one of the first or one of the last that quitted the redoubt?

A. It was in such confusion, that he did not observe the Major, until he (the witness) was on the sand bags or parapet, and then he saw him amongst them.

Q. Where was the principal body of the 11th regiment at that time?

A. Their original post was on the commanding hill, on the left of his (the witness's) post; but he cannot say whether they had retreated or not; but he believes they had, and some of them had passed through his post.

Q. Were there any other troops in his redoubt before that party of the 11th regiment with Major Armstrong came in?

A. He believes a detachment of the Guards was.

Q. Did that detachment of the Guards quit the redoubt at the same time the party of the 11th regiment did?

A. He can't say; he only knows that from the rapid manner the troops did pass through and quit it, the post was obliged to be abandoned in toto, the enemy possessing an hill above it.

Q. On

Q. On his speaking to the men to return to their duty, did he perceive Major Armstrong take any measures to rally them?

A. He did not.

Q. What was Major Armstrong about at the time?

A. Retiring up the hill with the men.

Q. What distance was the enemy from the redoubt?

A. Fifty or sixty yards; but the sand hills are very deceiving, and he can't exactly say.

Q. At the time he first went to the redoubt, what number of guns of the enemy was he opposed to?

A. He should suppose three or four; the chief of the fire of the enemy was against the main body of the army which was above him.

Q. Had the main body of the army retreated before Major Armstrong quitted the redoubt?

A. The main body was rather behind him on his right, and had not retreated; they surrendered at the post they were on.

Q. Did he conceive the redoubt tenable after the retreat of the troops on his left?

A. Certainly not; because it was immediately commanded.

Q. Had he any knowledge of Major Armstrong's post, prior to his coming into his redoubt?

A. Certainly not, as he was occupied with his own duty.

Q. Did the witness at all understand, when he was ordered to this redoubt, that this redoubt was Major Armstrong's post?

A. No: but he conceives it to be the duty of a senior officer, let him be in what post he may, to defend that post, or to give the necessary orders for the troops to retire in a proper manner.

Q. (*By desire of Major Armstrong.*) Does he recollect whether there were any picquets of the 11th regiment posted at a distant out-post, on the left of the line?

A. He has every reason to suppose so, having reconnoitred the ground the preceding evening, with General Coote, to see which would be the best posts and situations.

Q. Does he recollect what particular troops or parties were posted at a distance, on the left of the line?

A. He did not see them, but he understood there was a picquet, commanded by Captain Sirie; and the Light Infantry commanded by Lieutenant Colonel Donkin, of the 11th regiment, then Major of the 44th regiment.

Q. Were any of those troops or parties posted on the left, under Major Armstrong's command?

A. Not to his knowledge, further than being Field Officer of the 11th regiment, which was posted on the left.

Q. Where was Major Armstrong's post?

A. He don't know.

Q. Does he recollect where the 11th regiment was stationed on the Sand Hills?

A. Perfectly.

Q. Were there not sand-bags made up on the evening of the 19th, for the left of that post?

A. He believes Lieutenant Brownrigg, of the Engineers, received orders to that effect.

Q. Was the post the 11th regiment stood at made up with sand-bags, on their left?

A. He cannot say, because he was not on that post on the 20th.

Q. Was there not a sand hill immediately on the left of the 11th regiment, which ran some distance to the rear, with a gap in its front, where one or two men only could pass through at the same time?

A. He

A. He cannot say.

Q. Were there not sand hills all along, where the 11th regiment was posted?

A. Yes.

WILLIAM SIMS, a Private in Lieutenant Colonel Warren's Company, of the Third Regiment of Foot Guards, was sworn and examined by Captain Wilson's desire.

Q. Does he know Major Armstrong, of the 11th regiment of Foot?

A. He can't say he recollects his face.

Q. Could he swear to his person if he saw him?

A. He does not think he could.

Q. Is Major Armstrong here?

A. He does not think he is.

Q. Where was he posted on the 20th May 1798, at Ostend?

A. Upon the right of Sand Hills, and the 11th regiment was on the left.

Q. Does he recollect being in a small redoubt thrown up with sand-bags and a six-pounder in it?

A. Yes.

Q. What passed in that redoubt, during the time he was there?

A. He can't recollect any thing; they were there only about ten minutes, and there was great confusion.

[Major Armstrong here admitted that he went out of the redoubt to the rear, but it was to rally some men, which he effected in less than two minutes, and meant to prove this on his defence.]

MAJOR GENERAL COOTE *was further examined by Captain Wilson's desire.*

Q. Did he observe Major Armstrong with any part of the 11th regiment give way on the left, on the 20th of May, 1798, at Oostend?

A. He did not; but most certainly part of the 11th regiment did give way in the action of that day.

Q. At the time they did give way, does he know that Major Armstrong attempted to rally the men, as Field Officer of the regiment?

A. He did not see Major Armstrong make any endeavour to rally the men.

Q. Did he see Major Armstrong after they had given way?

A. He did not, to the best of his recollection.

Q. What post should Major Armstrong have occupied?

A. He conceives with the body of the regiment.

Q. Did he occupy his post?

A. He ought to have done so, and he don't know that he did not; but, to the best of his recollection, he did not see Major Armstrong during the action.

Q. Does he know whether Major Armstrong had done his duty, as he ought to have done, on the 20th of May, or that he abandoned his post?

A. He conceives it to be the duty of all Field and Superior Officers, when a part of their corps give way, to endeavour to rally them; he saw no attempt made on the part of Major Armstrong, and should have been better pleased if he had.

[It being three o'clock, the Court adjourned till Monday morning next, at ten o'clock.]

MONDAY,

MONDAY, 24th June, 1799.

The COURT being met pursuant to Adjournment,

MAJOR GENERAL COOTE was further interrogated
by Captain Wilson's desire.

Q. Was the General so situated on the 20th of May, 1798, in the action, that he could have seen Major Armstrong if he had attempted to rally any part of the 11th regiment, which gave way?

A. From the situation in which he was placed, and at a critical moment of the action, seeing part of the 11th regiment giving way, he himself called to that part of the regiment, making use of these words, or some words to the same effect, "For shame 11th regiment, have you no regard for your King and your country?" calling at the same time to Captains Godfrey and Visscher, (the latter of whom was his Aid-du-Camp) who were close to him at the time, desiring their assistance to rally the men that had given way. He certainly conceives, he was in a situation to have seen Major Armstrong, had he made any attempt to rally the men.

Q. Does he recollect what particular post was allotted to Major Armstrong, on the 20th of May?

A. With the body of the regiment.

Q. Was the post occupied by Captain Wilson the post occupied by the 11th regiment during any part of the action of that day?

A. He certainly conceives it was.

Q. (By desire of Major Armstrong.) When, where, and on what occasion had he the honour of first being known to the General?

A. At Margate, previous to the embarkation on the expedition against Ostend, in May 1798.

Q. Does

Q. Does he know where the 11th regiment of Foot was posted, on the 20th of May, 1798?

A. Yes.

Q. Were they immediately upon the left of the Guards?

A. A part of the regiment was.

Q. Was that part considered as the main body of the regiment?

A. He considered the main body of the regiment to be posted where the sand-bags were, which is what Captain Wilson has termed a redoubt.

Q. Was that Major Armstrong's post.

A. He conceives so.

Q. Were there any picquets of the 11th regiment posted at a distance from the main body of that regiment, on the left of it?

A. Certainly.

Q. Were any of those picquets so stationed on the left, under Major Armstrong's command?

A. The witness gave orders to the officers commanding corps, that the picquets should be visited by a Field Officer; at the same time he thinks it right to observe, that he certainly conceives Major Armstrong's post to have been with the main body of the regiment, and not to remain with the picquets.

Q. Did he consider it to be Major Armstrong's duty to visit those picquets by day, or during the action of the 20th of May, or did he give any order for that purpose?

A. The only orders he sent or gave to the picquets on the left, were for them to maintain their posts, as long as they could; he did not, to the best of his recollection, order Major Armstrong to visit the picquets during the action of that day.

Q. Was it Major Armstrong's duty to visit the picquets during the action?

A. He conceives that at the time he perceived the picquets,

picquets, and that part of the regiment which was with the picquets give way, and when he placed himself at their head, with an intent to rally them, it was the duty of Major Armstrong to have assisted him.

Q. From the situation of Major Armstrong's post, could the Major, or any one of his party which were in the place termed a redoubt, without moving from it, have seen any of the picquets or men that gave way on the left, till they appeared in the redoubt he was placed in?

A. He thinks they could without much difficulty.

Q. Could they without moving out of the post?

A. He thinks by moving very few yards they could.

Q. Could those within the sand-bags (or redoubt) see all that those who were without them could observe?

A. He should suppose not.

Q. Was Major Armstrong's post within the sand-bags?

A. He conceives so.

Q. When the General put himself at the head of the men retreating, did he actually rally them?

A. No.

Q. In what direction did they continue to retreat?

A. Towards the main body of the troops, from the left towards the right.

Q. Did they run within the sand-bags?

A. He supposes they did; he saw them in that direction.

Q. Was there a gap in the sand bag post, that only few men could pass through at a time?

A. Yes.

Q. If the men had ran within the sand-bag post, could the General have kept them in sight from the place he was at, after they had got behind the sand-bags?

A. He certainly saw the men run towards the sand-bags,

bags, but after they had got past them he could not see the men, for he at that time was wounded.

Q. Could not Major Armstrong have gone at that time to rally those men, and the General not have seen him?

A. He did not see Major Armstrong; if Major Armstrong was within the sand bags, he does not think he could have seen him; but he won't be positive.

Q. What space of time intervened between his attempting to rally the retreating party of the 11th regiment, and his being wounded?

A. He was wounded in the attempt to rally them.

Q. When he was wounded, was he within, or on the outside of the sand bags?

A. He was without side of them.

Q. Was he in the rear of 11th regiment, when he was wounded?

A. He was wounded in the attempt to rally them, and rather in the rear of those men.

Q. How near to Major Armstrong's post was he at that time?

A. A very short distance.

Q. Could he see the officers and men at Major Armstrong's Post at the time?

A. When he went to rally the men, he certainly was in a situation to see them.

Q. Did he see Major Armstrong at his post at that time?

A. He does not recollect having seen Major Armstrong during the action; but it is possible he might.

Q. Was Major Armstrong in the front of the general at the time he was wounded?

A. Major Armstrong might have been in the front, or in the rear; but he does not recollect having seen him.

Q. Was

Q. Was the 11th regiment between him and the sand bags when he was wounded?

A. Part of the regiment that retreated were there at the time, and part of the men might have got through them, for what he knows.

Q. Was that part of the 11th Regiment, which did not retreat between him and the sand bags?

A. He really does not know.

Q. Does he recollect sending Major Armstrong to Colonel Hely, of the 11th regiment, during the action of the 20th of May, to desire, he would not throw away his ammunition unnecessarily?

A. He perfectly well recollects sending orders to the different corps to be careful of their ammunition, and not to expend it unnecessarily; but he does not recollect sending any order by Major Armstrong, for he does not recollect seeing him during the action. [The general observed, that he might have seen him, and not recollect it now.]

Q. (By the Court,) How far were the picquets of the 11th regiment from the sand bags?

A. About one hundred and fifty yards, he thinks; but he cannot be certain, as to the distance; and there was an hollow between them.

Q. Was there any attack made upon the post where the sand bags were, at the time the picquets were attacked?

A. The principal attack was upon the left; but there was musquetry and cannon fired in the front.

Q. Had that part of the 11th regiment posted within the sand bags given way before he was wounded?

A. He did not see that part of the 11th regiment give way before he was wounded; but upon his return after he was wounded, he did see them give way with the rest.

Q. Was Colonel Hely, of the 11th regiment, killed in the action of the 20th of May?

A. He believes so; and, he believes, before he, the witness, was wounded, but he was not informed of it till afterwards.

Q. (By desire of Major Armstrong.) Could not Major Armstrong have been at his post with the regiment during the whole, or the greater part of the action of the 20th, without the General's knowledge?

A. He does not recollect seeing Major Armstrong during the action; but he might be with the regiment, or he might not.

Q. Does he recollect ordering the men at Major Armstrong's post to sit or lay down under the cover of the sand bags after the firing commenced, in order that they might not expose themselves unnecessarily to the enemy's fire?

A. Yes; and to all the troops in general, not to expose themselves unnecessarily to the enemy's fire.

Q. Does he recollect how high the sand bags were, which were erected on the evening of the 19th of May?

A. They were not very high; he thinks, there were not many of them brought on shore.

Q. Was there not a sand hill on the left of the 11th regiment, which ran some distance in their rear?

A. Yes; a little distance towards the Sea.

Q. What height might the sand hill be?

A. He really does not recollect.

Q. Was it from twenty yards to a hundred?

A. He believes it was above twenty; but he really does not recollect how high it was.

Q. How wide was the gap between the sand hill and sand bags?

A. Not very wide.

Q. Were

Q. Were there not sand hills all along from the right to the left of Major Armstrong's post?

A. The whole post was a ridge of sand hills.

Q. From the situation in which Major Armstrong was posted, could any one of his party, without moving from his post have seen the enemy, had they been approaching the post in the rear?

Q. By raising themselves up on the sand hills, he conceives they could.

Q. In case Major Armstrong had wished to have avoided or sheltered himself from the enemy, could he have been in a more secure post, than where he was stationed with the regiment?

A. All parts were insecure.

Q. What space of time intervened between the General's being wounded, and the orders to surrender?

A. A very short space; perhaps from five to ten minutes; he cannot be exact.

Q. At what distance from him, and in what position was the 11th regiment, when he saw them give way after he was wounded?

A. Not very far; and he conceives the body of the regiment should have been in their post within the Sand Bags.

Q. Were they in their post?

A. When he returned within the Sand Bags after being wounded, he certainly saw them in confusion, and some retreating.

Q. Does he of his own knowledge know, that Major Armstrong misbehaved himself before the enemy, by shamefully abandoning his post on the 20th of May, 1798?

A. To the best of his recollection, he did not see Major Armstrong during the whole of the action of that day.

MAJOR

MAJOR JOHN VISSCHER, of the 6th West India Regiment, was sworn, and interrogated, by Captain Wilson's desire.

Q. Was he one of Major General Cbote's aid-de-camps on the expedition against Ostend, in the month of May, 1798?

A. Yes.

Q. Was he informed of the post or posts allotted to Major Armstrong, of the 11th regiment, on the 20th of that month?

A. Yes; it was with the body of that regiment.

Q. Was he acquainted with Major Armstrong?

A. He knew him by sight.

Q. Did Major Armstrong occupy that post, as it was his duty to do?

A. He did not.

Q. Will the witness state to the Court what he knows of Major Armstrong's conduct in the action of the 20th of May, 1798?

A. He saw him on the morning of that day, not on his post, but coming away from it.

Q. (By desire of Major Armstrong.) Where was Major Armstrong going when he saw him?

A. He can't tell; he was coming away from his post; he had left his post.

Q. At what time did he see him coming away from his post?

A. About twenty or thirty minutes, or about that time, before the troops surrendered.

Q. In what direction was he going?

A. From the Sand Works (or Sand Bags) where he was stationed, towards the left of the Guards.

Q. How long did he remain in that situation?

A. He can't tell; he did not see him go away from it.

Q. How

Q. How many minutes did he, the witness, remain there?

A. He was sent upon other duty from the place, and cannot tell.

Q. How soon after was he sent upon other duty?

A. Almost immediately afterwards.

Q. Where was he situated when he saw Major Armstrong coming away from his post?

A. He was to the left of the guards with General Burrard.

Q. Was it before, or after General Coote was wounded, that he saw Major Armstrong coming away from his post?

A. After.

Q. Was Major Armstrong in pursuit of any men of the 11th regiment who were retreating, when he, the witness, saw him?

A. No; he was retiring with them, quitting their post.

Q. (*By the Court.*) Was Major Armstrong's post considered as a tenable post at the time he saw him retreating?

A. He thinks it was.

Q. Was Major Armstrong's post within the Sand Bags?

A. He always considered it to be so, and where the body of the 11th regiment was stationed.

Q. How far from the Sand Bags did he see Major Armstrong?

A. Upon the rising ground immediately above them; perhaps it might be thirty or forty yards.

Q. Were the Sand Bags nearer to the enemy, than where he saw Major Armstrong?

A. Yes; and more exposed.

Q. Was Major Armstrong retreating regularly, or in disorder, at the time the witness saw him?

A. In the greatest disorder and confusion.

Q. Did

Q. Did he see Major Armstrong make any attempt to rally the men?

A. No.

Q. Could the Major have done so, without the witness's observing it?

A. He thinks not, in the situation he then was.

Q. Did he, the witness, receive any orders from Major General Coote to endeavour to rally any part of the 11th regiment?

A. He was sent, at the time Major General Coote was endeavouring to rally the 11th regiment, to Colonel Campbell's company of the Guards, and he heard Major General Coote speak to the 11th regiment, being close to him, and he thinks, in these words: "for shame 11th, will you run away? I shall put myself at your head, and follow me." And immediately afterwards, the witness understood, that Major General Coote was wounded.

Q. Was Major Armstrong with that part of the 11th regiment?

A. He did not see him.

Q. (By desire of Major Armstrong) Was Major Armstrong's post within the sand bags, the safest and most secure post on the Sand Hills?

A. Certainly not the safest, as he has already stated.

CAPTAIN CHARLES GODFREY, of the Royal Regiment of Artillery, being sworn, was asked by Captain Wilson's desire.

Q. Was he on the Expedition against Ostend on the 20th of May, 1798?

A. He was.

Q. Did he know Major Armstrong of the 11th regiment of foot?

A. Not at all.

Q. Does he now know Major Armstrong?

A. Yes;

A. Yes ;—the first time he saw Major Armstrong, to the best of his recollection, was in the Citadel of Lille, after they were prisoners.

Q. Did he see Captain Wilson on some sand bags, in the act of haranguing a part of the 11th regiment, which past his post?

A. He does not recollect to have heard Captain Wilson speak to the 11th regiment.

CAPTAIN DAVID BLAIR of the 11th regiment, before sworn, was again interrogated by Captain Wilson's desire.

Q. Does he recollect having seen Captain Wilson in the post where Major Armstrong was stationed, within some sand bags?

A. He does.

Q. Was that the post that Major Armstrong ought to have occupied?

A. He conceives it was ;—it was the station of the regiment.

Q. Did Major Armstrong quit his regiment or division, on the 20th May, 1798, during the action?

A. He saw Major Armstrong at one time quit his post, and go towards some picquets, which were stationed on the left, and which were engaged with the enemy.

Q. Was the post abandoned which Major Armstrong ought to have maintained on the 20th of May, 1798?

A. It was.

Q. At what time?

A. He cannot exactly state the time ; but it was a very short time before the surrender took place.

Q. Did he see Major Armstrong attempt to rally the men at that time?

A. He did not.

L

Q. At

Q. At the time the men retired from the post, was Major Armstrong with them or not?

A. Immediately before the men retired from the post, he saw Major Armstrong, but in consequence of a great number of men rushing into the post from the left, he, the witness, lost sight of him.

Q. (By desire of Major Armstrong.) Does he recollect that some time after the firing, or engagement, commenced between our troops on the left, and the enemy, on the morning of the 20th of May, 1798, that any party or picquet of the 11th regiment, which was posted on the left, gave way?

A. He does.

Q. What troops were posted on the left on that day?

A. As well as he can remember, there was a picquet, or advanced post, under Captain Sirie of the 11th regiment; a picquet under Captain Martin of the same regiment; the light company of the 23d regiment of foot; and Colonel Hely of the 11th regiment, immediately before the action commenced, moved a party of the 11th towards the left.

Q. Were any of those troops under the command of Major Armstrong?

A. He does not conceive they were.

Q. In what direction did those men go, that gave way from the left?

A. A great many of them passed in the rear of the post where Major Armstrong was stationed, and went over a sand hill towards the right of it: he could not see if any part of them took a different direction.

Q. Did any officer follow to endeavour to bring back these men, which passed Major Armstrong's post in the rear?

A. He saw several officers endeavour to stop them, and he, the witness, endeavoured to do so himself.

Q. Did

Q. Did he see Major Armstrong amongst those officers?

A. He does not recollect that he did.

Q. Did any of the men, at the post Major Armstrong was stationed, quit their post at this time?

A. Yes.

Q. Does he think that they would have quit their post, if the men posted on their left had not ran in, and passed in the rear?

A. The men had been for some time restless, from having been desired to cover themselves, and to lay down; but he did not see any of them endeavour, or wish to quit their post; on the contrary, to maintain it, until those men, which gave way from the left, passed in the rear.

Q. Was it Major General Coote's order, that they should lay down in their post?

A. It was.

Q. Was the post which the 11th regiment was stationed at, on the Sand Hills, on the morning of the 20th of May, 1798, regularly built up with sand bags on the left?

A. There was a work constructed of sand bags, raised on their left.

Q. How high were they?

A. He cannot exactly say; in some places, perhaps, they were the height of a man's shoulder; in others, not so high.

Q. Was there a sand hill immediately on the left of the regiment, which ran some distance in the rear?

A. There was.

Q. Does he recollect a gap which was between the sand hill and the post of sand bags?

A. There was an open space left between the end of the work raised with sand bags, and a sudden rising of the ground, or sand, on the other side of the gap, of about two yards wide.

Q. Was Major Armstrong's post attacked by the enemy at any time during the action of the 20th of May, 1798?

A. It was not.

Q. In case Major Armstrong had wished to have avoided, or to have sheltered himself from the enemy, could he have been in a more secure place on the Sand Hills, than where he was posted?

A. The post was perfectly secure; some shot passed over them, but no man was hurt that he knows of; the Sand Hills rose between them and the picquets which were engaged.

Q. Could any person in the post have seen any of the enemy that might be advancing to the post in the rear, without moving from the post?

A. They could not.

Q. Does he know, what parts, or particular number of the troops were engaged in the action on the morning of the 20th of May, 1798, under Major General Coote?

A. The Artillery; the Picquet under Captain Sirie; and a party of the Guards, under the command of Colonel Campbell, were engaged; the Light Company of the 11th was slightly engaged; and he believes the Light Company of the 23d Regiment, and the Picquet under Captain Martin, as well as the men of the 11th, which Colonel Hely took with him, were engaged, but he is not sure.

Q. Were there any other troops besides those he has mentioned, engaged?

A. Not that he knows of.

Q. From the situation Major Armstrong was posted in, could any one of the party, without moving from the post they were in, have seen any of the picquets or parties, which gave way from the left, before they came into the post?

A. They

A. They could not have seen them till they were near the post on the right, and only on the right; on the left they could not have been seen, till they came in at the gap.

Q. (*By desire of Captain Wilson.*) Did he see Captain Wilson on the sand bags, haranguing the men of the 11th regiment, as they were passing the post, to return to their duty?

A. No.

[At three o'clock the Court adjourned till to-morrow morning at ten o'clock.]

TUESDAY, 25th June, 1799.

The COURT being met pursuant to Adjournment,

THOMAS GRAVES, a Private in Lieutenant Colonel Warren's, late Lieutenant Colonel Campbell's Company of the Third Regiment of Foot Guards, was sworn and examined by Captain Wilson's desire.

Q. Does he know Major Armstrong, of the 11th regiment of Foot?

A. Yes.

Q. Did he see Major Armstrong on the 20th of May, 1798, in the action before Ostend?

A. Yes.

Q. Where was the witness posted on that day?

A. His post was about the centre of the line.

Q. Where did he first see Major Armstrong?

A. He saw him first when his (the witness's) company was retreating, and he, Major Armstrong, was then under cover of the sand hill.

Q. Did he hear Major Armstrong speak to him, or any of the soldiers at that time.

A. Yes.

Q. What

Q. What did he say?

A. He said, "for God's sake Guards, put down your arms, or we shall all be put to death."

Q. Did Major Armstrong remain in that situation, or did he see him retire from his post.

A. He saw him go from his post, towards the right of the line.

Q. (*By the Court.*) Was the witness's company advanced nearer the enemy than the post Major Armstrong was stationed at?

A. Yes.

Q. Were they forced to retreat by the fire of the enemy?

A. Yes; and they retreated by orders from General Coote, on account of their officers being wounded, and they retreated in great confusion.

Q. Did Lieutenant Colonel Campbell command that company?

A. Yes.

Q. Was the Colonel wounded at that time?

A. Yes, both the officers of the company were wounded; Colonel Campbell and Captain Duff.

Q. Was the enemy near at that time?

A. No.

Q. When Major Armstrong spoke of the Guards putting down their arms, as he has stated, were the enemy then near?

A. No.

Q. When he first saw Major Armstrong, how far was the enemy from them?

A. He can't be certain, on account of the sand hills, but he supposes about a mile.

Q. At the time they did retreat, how many men had they killed?

A. He does not suppose they had five; they had most killed just when they were ordered to retreat.

W. O.

Q. By

Q. (*By desire of Major Armstrong.*) Is Major Armstrong in the room?

A. Yes; you are Major Armstrong.

Q. When did the witness first know him?

A. On the 20th of May, 1798.

Q. How came he to know him?

A. Because he saw him in the field of battle.

Q. How did he know him there?

A. He took particular notice of him.

Q. How did he know it was Major Armstrong?

A. He knew it was him, when he saw him again here.

Q. In what place was Major Armstrong, when, as he says, the Major told them to lay down their arms?

A. He was amongst Colonel Campbell's company.

Q. Was he alone, or with any others, when, as he says, he spoke those words?

A. Alone, no officer near him.

Q. Nor men?

A. None of the 11th; only the witness's company of Guards.

Q. Does he know any of the names of the men of his company, that were there at that time?

A. Yes, James Campbell, William Pierce, and James Wicks, privates.

Q. Were those men very near the witness?

A. Yes.

Q. Where are they?

A. They are waiting on the outside of the Court.

Q. Are there any other men he can name, who were also present?

A. No; he was wounded at the time through the shoulder.

Q. Was there any non-commissioned officers present?

A. He cannot recollect either a serjeant or a corporal.

Q. By

Q. (*By the Court.*) At the time he heard the words used, which he has mentioned, did he then know that it was Major Armstrong that made use of them?

A. Yes.

Q. How?

A. Because he was very near him.

Q. Did he hear any body say so, or did he enquire of any body?

A. No; but he knew it was him when he saw him again here.

Q. (*By desire of Major Armstrong.*) Who first spoke to him about his being called upon as a witness upon this occasion?

A. Captain Bean, Adjutant of the Light Infantry battalion of the Guards, ordered him to attend the Court.

Q. Has any thing either been given him or promised him for giving his evidence on this occasion?

A. No.

Q. As he never knew Major Armstrong till he saw him in the Court this day, how did he know that it was him that had spoke to him on the 20th of May?

A. He saw him on the 20th, and on seeing him in Court now, he knows him to be the same person.

Q. (*By the Court.*) At the time Major Armstrong made use of the words he has mentioned, was there any general order for the troops to surrender.

A. Not to his knowledge.

Q. Does he know whether General Coote was wounded at the time the words were used?

A. Yes.

Q. How long after General Coote was wounded, were the words used?

A. About ten minutes he thinks.

Q. How long was it after that time, before he understood the troops were to surrender?

A. He thinks it was about a quarter of an hour.

[Captain

[Captain Wilson here took occasion to observe, that he had several other witnesses attending, who could speak to the matters in question; but not conceiving it necessary to trouble the Court with further evidence, signified that he had closed the prosecution.]

Major ARMSTRONG, who had retired for a short time, in order to arrange his defence, now proceeded as follows:

Gentlemen of the Court Martial,

“ I stand here arraigned of crimes, of
 “ which, were I *really* guilty, I should appeal to your
 “ *favour* to ease me of an existence, which *that* guilt
 “ would render unsupportable; but I stand here
 “ arrayed in conscious *innocence*, well knowing that
 “ there is *no* character so un sullied, that *may not* be
 “ attacked; and, firmly convinced that no contriv-
 “ ance, no art, no malice can be so refined, that shall
 “ reach the honor which is fairly committed to your
 “ protection. Under all the indignant sensations
 “ which such *base* accusations have roused in my
 “ breast, it is solace and satisfaction to me, to be re-
 “ ferred at last to a tribunal composed of all that’s
 “ *honorable and unbiassed*.

“ Gentlemen, I call upon your *sympathy* to allow
 “ me two minutes attention to my *personal* situation,
 “ with reference to this trial, before I call it to the
 “ *merits of the case*. From the prosecutor’s address to
 “ the Court, from his admissions, and from the letters
 “ which he has handed in, you must know that it is
 “ after a lapse of many months that I am brought to
 “ answer these serious and *capital* charges; that I
 “ have in the mean time done all that a man of honor
 “ *could do*, to court, solicit, and even provoke an en-
 “ quiry into my conduct; for a fair enquiry I look
 “ upon as an honorable acquittal; that although

M

“ the

“ the prosecutor had allowed himself the most un-
 “ warrantable liberties, in reflecting upon my con-
 “ duct, yet he ever shrunk from an *open* investigation,
 “ which he foresaw would inevitably expose him to
 “ the infamy of having preferred the most *groundless*
 “ charges of the basest criminality. Had I given but the
 “ slightest grounds for suspicion of such turpitude, I
 “ should long since have buried the *disgrace* in the sands
 “ of Flanders, instead of urging His Royal Highness the
 “ Commander in Chief to grant me a Court Martial
 “ upon my conduct. I hold in my hand, Gentlemen,
 “ Colonel Brownrigg’s letter, in answer to my so-
 “ licitation, *that an investigation of my conduct, which*
 “ *remained unimpeached, was perfectly unnecessary, and*
 “ *which is as follows :*

Horse Guards, 22d December, 1798.

“ SIR,
 “ I have had the honor to lay your
 “ letter of the 19th instant before the Commander in
 “ Chief; and I have it in command to acquaint you,
 “ that as the circumstance you state has never made
 “ any part of the official details of the service per-
 “ formed at Ostend, by the force under the com-
 “ mand of Major General Coote, His Royal Highness
 “ considers an investigation of your conduct (which
 “ remains unimpeached) perfectly unnecessary.

“ I have the honor to be, Sir,

“ Your most obedient humble servant,

“ Major Armstrong, ROBERT BROWNRIGG.

“ 11th Foot.

“ No. 5, Suffolk-street.

“ At the time, Gentlemen, that this answer was
 “ given, nearly six months had elapsed from the reports
 “ and returns made by the Generals of the Ostend
 “ expedition; and it would be indecorous to suppose
 “ that

“ that they did not *then* know from observation or
 “ information, that any Field Officer *had quitted his*
 “ *regiment or division without leave of his superior officer,*
 “ *or misbehaved himself before the enemy, by shamefully*
 “ *abandoning his post:* and if they did know it, I he-
 “ tate not to say, that it was highly criminal not to
 “ bring *that disgraced man* forward before the public,
 “ that he might defend himself against the charge,
 “ *if false;* and *if true,* that his punishment should
 “ rescue the British arms from being implicated in
 “ the crime of the individual dastard. If this be at
 “ all times just and reasonable, it becomes transcen-
 “ dently *necessary* in a case which calls for *the justifi-*
 “ *cation of a failure;* but, Gentlemen, I waive this
 “ sort of preliminary justification, and shall rest my
 “ defence upon *more solid and unequivocal grounds.* I
 “ view the *foul* crime with which I am charged, as a
 “ species of *military treason;* nor can I acquit those of
 “ *misprision of it,* who averring or pretending that they
 “ *knew* me guilty of it on the 20th of May, 1798,
 “ permitted me for upwards of twelve months from
 “ that time to *disgrace* the service, which such guilt
 “ would have made me unworthy of. Had I betrayed
 “ my King, had I disgraced my country, had I dis-
 “ honored myself, as my prosecutor charges me, *be*
 “ *has insulted the King, and injured the service by*
 “ every hour that he has deferred to communicate
 “ his knowledge of the crime (whether real or ima-
 “ ginary) to those persons whose duty he well knew
 “ it was to bring the accused to trial or punishment;
 “ and you have received an avowal from his own
 “ mouth, that even at *this* moment he should not have
 “ preferred the charges against me, had he not been
 “ *compelled to it* by his own corps. They, like men
 “ of honor, could not brook the indignity of making
 “ a charge *in private,* which the accuser was afraid to
 “ support *in public.* If in *this,* at least, the prosecutor

“ *be* to be credited, I return my most cordial acknow-
 “ ledgments to the gentlemen of *his corp*, who have
 “ been the cause of my appearing before this honor-
 “ able tribunal, nor can I refuse *some* thanks to the
 “ prosecutor himself, for having, by his own confes-
 “ sions, spared me the mortification of bringing for-
 “ ward some of those gentlemen to give evidence of
 “ *their reasons* for insisting upon the prosecutor’s pre-
 “ ferring these charges against me.

“ But, Gentlemen, I can be but *little* thankful to
 “ the prosecutor for holding back the charges, as well
 “ as every explanation concerning them, during the five
 “ months *he knew* I waited in London, courting, and
 “ provoking an enquiry into my conduct. I certainly
 “ owe him *no* gratitude for the anxieties and alarms
 “ he has *purposely* caused to my family, from the re-
 “ ports he has circulated, and his whole conduct to-
 “ wards me. No sooner did he know that I had quit-
 “ ted town, with my wife and five young children,
 “ for Swansea, (the salt water having been judged
 “ necessary for their health) than he preferred his
 “ *forced* charges against me, and I am overtaken by
 “ an express, at Bristol, to remand me, as a prisoner,
 “ back to town, to defend myself against the charges
 “ preferred against me by Captain Wilson. I instantly
 “ obeyed, and left, since the 25th of May, my wife
 “ and children unprotected, and waiting at the inn,
 “ at Bristol, with the most anxious uncertainty, my
 “ return unto them.

“ Gentlemen, my life, and what is infinitely *dearer*
 “ to me, *my honor*, is in your hands. My ancestors
 “ have uninterruptedly been in the service of His Ma-
 “ jesty, since the accession of his family to the throne,
 “ and I have been in it upwards of twenty years, and
 “ *never* upon half pay. During the present war I have
 “ lost, in action at Guadeloupe, a most beloved and
 “ respected brother, Major Thomas Armstrong, of
 “ the

“ the 8th regiment of Foot, besides three nephews in
 “ the service.

“ I need not, Gentlemen, remind you, that I here
 “ await your judgment upon two Articles of War:
 “ upon the first of them, which is the 8th Article of
 “ the 14th Section, it is merely discretionary; upon
 “ the other, which is the 20th Article of the 14th
 “ Section, the punishment shall be *Death* or such
 “ other as the Court shall award; Ere I enter upon
 “ the evidence, which has been brought forward
 “ against me, I beg leave to offer a *single* observation
 “ upon the first of these charges: It is very remark-
 “ able, that altho’ the Article of War upon which
 “ the Prosecutor *will* have the first charge to bear,
 “ rests the guilt of *quitting one’s platoon or division*,
 “ upon one of two alternatives, viz. either *without*
 “ *urgent necessity* or *without leave of the superior officer*;
 “ yet has the prosecutor wholly omitted the first
 “ condition of which any witness to the circumstances
 “ of the action *might* judge, and has *only* insisted
 “ upon the second, which might *not* be within the
 “ knowledge of any third person. I *admit* that on
 “ the 20th of May, 1798, I *did* quit my post; but as
 “ it was *not without urgent necessity*, I do *insist* upon
 “ it, that I was *not guilty* of any breach of the 8th
 “ Article of the 14th Section of the Articles of War;
 “ I should have thought it useless, gentlemen, nay
 “ even *impertinent*, to tell you, that it was the duty of
 “ a *Field or superior officer to endeavour to rally his men*
 “ when they gave way. But I certainly shall avail
 “ myself of the opinion given to you by General
 “ Coote in his evidence, and infer that the per-
 “ formance of *that very* duty is a matter of *urgent*
 “ *necessity*. I wish you, gentlemen, to take *nothing*
 “ upon credit, but I mean to prove by undeniable
 “ evidence, that I not only *endeavour’d* to rally the
 “ men of the 11th regiment, who were retreating in
 “ confusion,

“ confusion, but that in less than three minutes I
 “ actually succeeded in rallying them. I have said
 “ thus much upon the first charge, because in *some*
 “ measure it is connected with the second. But
 “ there has not been the smallest particle of evidence
 “ produced in support of the first charge, that
 “ calls for *any* observation or needs to be contra-
 “ dicted; I shall therefore proceed to consider the
 “ evidence brought against me on the *second*, which
 “ is a *capital* charge.”

“ The Prosecutor, tho’ he had nothing to offer
 “ in support of his first charge, yet he has ventured
 “ to give *some* evidence, such as it is, upon the se-
 “ cond; upon this circumstance, gentlemen, I must
 “ beg leave to recall your attention to the prose-
 “ cutor’s assertions of his being so *reluctantly* forced to
 “ prefer these charges against me, and I put this
 “ simple question; What duty calls upon a *private*
 “ officer to charge another with *criminal* facts *not*
 “ *within his own knowledge*? And it *has* turned out,
 “ that they were *not* within the knowledge of *any*
 “ *other*, for they never existed.

“ Gentlemen, I am now fortunately come to the
 “ crisis in which I am to be judged; *not* by the
 “ wishes or the intended imputations of the words in
 “ the charges, but *by the evidence given upon oath*
 “ before you in support of them; now, gentlemen,
 “ under all the circumstances of the case, you will
 “ naturally conclude, that if *any* person can speak
 “ with effect to this charge, it *will be* the prosecutor
 “ himself; *that man* whose *nice feelings of honor*
 “ have been so hurt by the want of *spirit* in a brother
 “ officer;—*that man* whose penetration and discern-
 “ ment could *discover* the sources and causes of our
 “ failures and losses, which had escaped the obser-
 “ vation and all subsequent enquiries and informations
 “ of the *commanding officer*;—*that man* whose *zeal for*
 “ *the*

“ the service has brought him forward to occupy the
 “ ungracious post of a prosecutor for crimes charged
 “ to have been committed in the eyes of hundreds,
 “ and in the face of the enemy; a post which my pro-
 “ secutor tells you he expected others to have seized
 “ on, and which I will add, if the facts had existed
 “ elsewhere than in my prosecutor’s mind, it would
 “ have been their transcendent duty to have occupied,
 “ and not to have abandoned to him.

“ I am accused by this second charge of having
 “ misbehaved myself before the enemy, by shamefully
 “ ABANDONING MY POST. And yet, my very pro-
 “ secutor, has upon his oath, twice most explicitly dis-
 “ owned any knowledge whatsoever of the post I was
 “ ordered to, and consequently which he must have
 “ seen me abandon, in order to prove me guilty of the
 “ second charge. Gentlemen, I hold myself not at
 “ liberty to encroach upon your time and patience
 “ without your special direction, and shall not there-
 “ fore attempt to disprove, since you have heard
 “ General Coote’s orders, the pitifully invidious por-
 “ trait the prosecutor has attempted to draw of me
 “ crouching under the shelter of the parapet, which I
 “ presume he thought my post. But his evidence
 “ destroys itself, for in order to prove cowardice upon
 “ me, he says, (and he says truly) that I quitted my
 “ position of security, and as the brave are ever mo-
 “ dest, he blushed to say I ran from my post. I blush
 “ not to say, that I did run from my post, but I did it
 “ from urgent necessity, and to fulfil what General
 “ Coote has here said was my duty to attempt, and
 “ which he admits he should have been better pleased
 “ to have seen. I cannot pretend to account for what
 “ the General did, or did not see or foresee, on that
 “ day. You have his Evidence upon oath, that he
 “ did not see me at any time during the action; and
 “ yet I shall prove by several witnesses, that I re-
 “ ceived

“ received and executed orders from him during the
 “ action; that within a very few yards of *him* I ac-
 “ tually rallied the men of the 11th, who were thrown
 “ into confusion, and having done so, I encouraged
 “ them *to charge*, and that I was *at my post* with my
 “ men, within fifteen yards in front of the general
 “ when he was wounded, and from that time till we
 “ were ordered to surrender.

“ *Gentlemen*, the General who has been called upon
 “ by the prosecutor to support both the charges, has
 “ expressed *to you* the *delicacy* of his situation, and
 “ you have no doubt observed the embarrassment
 “ under which he gave his evidence. But such as
 “ he has given, I must avail myself of it, and call
 “ upon you, with whom my life and *my honour* now
 “ rest, to decide whether any thing which he has
 “ said before you, can at all tend to substantiate my
 “ guilt of either of the charges. I know of no pe-
 “ culiar delicacy which attends General Coote’s si-
 “ tuation, which is not common to *that* of every
 “ commanding officer in *every* action. If he have
 “ the misfortune to have under his command, an
 “ officer *who misbehaves*, it is his *duty* to know it, to
 “ notice it, and to punish it; I wish for *no* favour;
 “ I *demand* justice. It would be certainly a new
 “ phenomenon in the Courts of Military Justice,
 “ that an officer should be found guilty of a capital
 “ charge upon the evidence of his commanding offi-
 “ cer, *twelve months* after the official reports of the
 “ action from that commanding officer, and after he
 “ had been assured by the commander in chief, with
 “ reference to this very action, *that his conduct was*
 “ *wholly unimpeached*. But Gentlemen, I am *perhaps*
 “ anticipating difficulties. General Coote has speci-
 “ fically sworn, when questioned to the first charge,
 “ *that to his knowledge I was not guilty of any miscon-*
 “ *duct*; and to the second charge, which is laid to
 “ have

“ have been committed *before the enemy*,—that *he did*
 “ *not see me during the action*; he *had seen me on the*
 “ 19th, and he acquitted me of any misconduct on
 “ that day. He says, he did *not see me on the 20th,*
 “ *before the enemy*; how therefore can *he* prove the
 “ crime laid in the charge, of *misbehaving before the*
 “ *enemy, by shamefully abandoning my post, on the 20th.*
 “ You must, Gentlemen, have observed, when this
 “ positive question was put to him:—*whether to his*
 “ *knowledge I were guilty of this second charge?*—
 “ (we have to lament that the General’s present want
 “ of recollection does not afford us a direct an-
 “ swer to it) he first alledged, that he had answered
 “ that question on Saturday, mistaking (I am to pre-
 “ sume) *this*, for a *similar question* put to him upon
 “ the *first charge* on that day. His answer, however
 “ indirect, is, I must insist upon it, a *complete clearance*
 “ *of any criminality* under the second charge, or the
 “ article of war therein referred to—I *don’t recollect*
 “ *having seen him during the whole of the action of that*
 “ *day.* It requires no great depth of knowledge or
 “ reasoning to infer, that when a man who has been
 “ for two hours *on the ground where another is charged*
 “ with having committed a capital offence, and ad-
 “ mits, that during *those two hours* he never once saw
 “ the accused person:—*therefore* of his own know-
 “ ledge, he cannot know him guilty of the charge.
 “ Far be from me a suggestion, that the General
 “ lost his recollection on the day of action; but I am
 “ driven to the ungracious task of proving *by the*
 “ *oaths* of undeniable witnesses, that on Saturday or
 “ Monday last he had *not* a recollection of several
 “ words and actions which he uttered and did on the
 “ day of action, and during the action.—But here
 “ Gentlemen, I must again appeal to the indulgence,
 “ of the Court, and state to them the embarrassments
 “ under which I have *at this time* come forward to
 N “ stand

“ stand upon my defence;—about two hundred of
 “ the men of my regiment, who *could* have given
 “ evidence of my conduct in that action, are still
 “ within the walls of the French prisons; and had I
 “ shrunk from the enquiry, you will readily admit,
 “ that I might have put off the trial for the absence
 “ of material witnesses: On the contrary, Gentle-
 “ men, I *complain* of my prosecutor’s *tardiness* in
 “ bringing on the trial; I am conscious of mine in-
 “ nocence, and I therefore rest my acquittal, not
 “ only upon the irrelevancy, weakness, and imper-
 “ fections of my prosecutor’s evidence, but upon the
 “ candid indulgence of the Court, in *admitting the*
 “ *evidence* of the *few* I *can* command, in lieu of the
 “ host of absent witnesses whom the misfortunes of
 “ that day deprive me of the opportunity of bring-
 “ ing before you: I shall produce *all* that I know
 “ to be now within the kingdom, and shall therefore
 “ expect to be admitted within the principle of all
 “ Courts whatsoever—of having offered *the best evi-*
 “ *dence* the nature of the case will admit of. I have
 “ also to entreat, though I make sure of your atten-
 “ tion to the difference between positive and nega-
 “ tive evidence on all occasions, but particularly in
 “ an hour of confusion, such as was the latter part
 “ of the action, of the 20th May, 1798; if one
 “ man swear, that he saw me in a *certain* position,
 “ or perform *certain* actions, or heard me utter *cer-*
 “ *tain* words, *his* evidence shall not be disproved by
 “ a thousand, who admit they did *not* see or hear
 “ them in the confusion; besides, the evidence you
 “ have received from my prosecutor’s witnesses, is
 “ from persons, who in an action of great confusion
 “ had *each their respective* duties to attend to, who
 “ may have seen me for one or two minutes in situa-
 “ tions, or under circumstances, perhaps equivocal
 “ or inexplicable to *those* who were strangers to the
 “ origin,

“ origin, causes, motives, effects, and result of them;
 “ for instance, when Major Visscher tells you he saw
 “ me *quitting my post in a disorderly manner*, I presume
 “ he saw me in those moments of confusion, into
 “ which the main body of the 11th was thrown, by
 “ the disorderly irruption of the retreating picquets
 “ into our post; he may have seen me, as well as
 “ the other officers, in that confused movement,
 “ without being able to discern, that we *were at-*
 “ *tempting* what in less than three minutes we effect-
 “ ed; and I shall distinctly prove to you, from *men*
 “ who were parties concerned, that the main body
 “ of the 11th *was rallied* by me and other officers,
 “ and were at our post again in that short space of
 “ time, and that from this time, neither *I*, nor the
 “ men *so rallied*, quitted our post till the flag of truce
 “ was hoisted: I may have been seen in the act of
 “ *quitting my post*, very early in the action, by many
 “ persons who knew not the orders under which I
 “ did it; for, notwithstanding the want of recollec-
 “ tion in General Coote, I shall distinctly prove to
 “ you that he accosted me in these, or the like
 “ words—*Major Armstrong, go over to Colonel Hely,*
 “ *and tell him not to throw away his fire, but if the*
 “ *enemy advance, to fire a volley and charge them—*
 “ *That I obeyed, and went to the picquets at the left,*
 “ *who were then engaged with the enemy, delivered*
 “ *the orders, and returned to my post.* The force
 “ of war has deprived me of the possibility of bring-
 “ ing forward the brave Colonel Hely to prove the
 “ delivery of the orders, but I *shall* prove that *I*
 “ *went and returned*; indeed, Captain Blair has al-
 “ ready given it in evidence, that he saw me *quit my*
 “ *post, and go towards some pickets on the left who were*
 “ *engaged with the enemy*; and I shall prove to you
 “ distinctly, that this was about the very time that
 “ General Coote gave me the before mentioned or-
 “ der,

“ stand upon my defence;—about two hundred of
 “ the men of my regiment, who *could* have given
 “ evidence of my conduct in that action, are still
 “ within the walls of the French prisons; and had I
 “ shrunk from the enquiry, you will readily admit,
 “ that I might have put off the trial for the absence
 “ of material witnesses: On the contrary, Gentle-
 “ men, I *complain* of my prosecutor’s *tardiness* in
 “ bringing on the trial; I am conscious of mine in-
 “ nocence, and I therefore rest my acquittal, not
 “ only upon the irrelevancy, weakness, and imper-
 “ fections of my prosecutor’s evidence, but upon the
 “ candid indulgence of the Court, in *admitting the*
 “ *evidence* of the *few* I can command, in lieu of the
 “ host of absent witnesses whom the misfortunes of
 “ that day deprive me of the opportunity of bring-
 “ ing before you: I shall produce *all* that I know
 “ to be now within the kingdom, and shall therefore
 “ expect to be admitted within the principle of all
 “ Courts whatsoever—of having offered *the best evi-*
 “ *dence* the nature of the case will admit of. I have
 “ also to entreat, though I make sure of your atten-
 “ tion to the difference between positive and nega-
 “ tive evidence on all occasions, but particularly in
 “ an hour of confusion, such as was the latter part
 “ of the action, of the 20th May, 1798; if one
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 “ or perform *certain* actions, or heard me utter *cer-*
 “ *tain* words, *his* evidence shall not be disproved by
 “ a thousand, who admit they did *not* see or hear
 “ them in the confusion; besides, the evidence you
 “ have received from my prosecutor’s witnesses, is
 “ from persons, who in an action of great confusion
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 “ tions, or under circumstances, perhaps equivocal
 “ or inexplicable to *those* who were strangers to the
 “ origin,

“ origin, causes, motives, effects, and result of them;
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 “ which the main body of the 11th was thrown, by
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 “ without being able to discern, that we *were at-*
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 “ who were parties concerned, that the main body
 “ of the 11th *was rallied* by me and other officers,
 “ and were at our post again in that short space of
 “ time, and that from this time, neither *I*, nor the
 “ men *so rallied*, quitted our post till the flag of truce
 “ was hoisted: I may have been seen in the act of
 “ *quitting my post*, very early in the action, by many
 “ persons who knew not the orders under which I
 “ did it; for, notwithstanding the want of recollec-
 “ tion in General Coote, I shall distinctly prove to
 “ you that he accosted me in these, or the like
 “ words—*Major Armstrong, go over to Colonel Hely,*
 “ *and tell him not to throw away his fire, but if the*
 “ *enemy advance, to fire a volley and charge them—*
 “ *That I obeyed, and went to the picquets at the left,*
 “ who were then engaged with the enemy, *delivered*
 “ the orders, and returned to my post. The fortune
 “ of war has deprived me of the possibility of bring-
 “ ing forward the brave Colonel Hely to prove the
 “ delivery of the orders, but I *shall* prove that I
 “ *went and returned*; indeed, Captain Blair has al-
 “ ready given it in evidence, that he saw me *quit my*
 “ *post, and go towards some pickets on the left who were*
 “ *engaged with the enemy*; and I shall prove to you
 “ distinctly, that this was about the very time that
 “ General Coote gave me the before mentioned or-
 “ der,

der, which was given within a yard of the witness who heard it, though he may perhaps not be able to prove the impression of my person at that time upon the General.

“ Gentlemen, a guardsman has informed you, that I was at a distant place *from* my post, encouraging a party of the guards to put down their arms; Gentlemen, you will find this fact *fully disproved* by my evidence, and I already meet your observations upon the nature of the evidence given in support of a charge made against me *for cowardice*, when it is attempted to be proved, that I quitted a place of *perfect security*, to go to a post of danger which was within the fire of the enemy; but you will also recollect, that this witness knew me *not* at the time, and never saw my person till *this day*, though he has been equally ready to give his evidence against me, on Saturday and Monday last, when he had *not seen* me to recognize me, and consequently when it was physically impossible for him to know, that *I* was the person (if any one were so base) who told him to *put down his arms* on the 20th of May.

“ Gentlemen, ere I conclude, I must beg leave to observe, that the whole aim of the prosecutor has been, to prove that my misconduct and example alone were the occasion of the men's retreat from the redoubt;—Good God! can it be supposed, by any one member of this honourable Court, that I, commanding a part of the 11th regiment, stationed at a post against *which not a single shot was fired*, would shamefully and disgracefully quit my position, and by showing an example to the men under my command, cause them to do the same; and is it possible for it to have happened without its having been observed, and noticed by *every officer and soldier*, and reported according to the special
“ order

“ order of Sir Charles Grey, before our embarkation, to which I beg to refer the Court, and entreat their forgiveness for having taken up so much of their time.”

“ ANDREW ARMSTRONG,
“ Major 11th Foot.”

*Extract from the Orders of Sir Charles Grey,
relative to the Ostend Expedition, dated the
9th May, 1798.*

“ General Sir Charles Grey is sure Major General Coote will heartily coincide with these orders, and that he will, with the strictest and most determined resolution, carry them into effect, and report all disobedience to Sir Charles Grey.”

MAJOR ARMSTRONG now proceeded to call the following Witnesses in support of his Defence.

MAJOR GENERAL HARRY BURRARD being sworn, was interrogated by Major Armstrong's desire.

Q. Was General Burrard second in command on the expedition against Ostend, in May, 1798?

A. He was.

Q. Did he see Major Armstrong on the 20th of that month?

A. Yes, early in the morning.

Q. Did he see him on his post on that day?

A. Before the commencement of the action, he did—he saw him with his regiment.

Q. Did he see him at his post during the action?

A. Till very late in the action, he (the witness) was stationed on the right, where it was impossible
he

he could see Major Armstrong, and after that, he does not remember seeing him.

Q. Did Major Armstrong during any time of the 19th of May, or during the action of the 20th, or when the flag of truce was hoisted, and the surrender took effect, behave himself improperly, or unbecoming the character of his situation, as Major of the 11th regiment of foot?

A. Not to his knowledge.

Q. Does he recollect at what particular place on the sands Major General Coote was wounded?

A. He was not by him when he was wounded, but he was sent for by him afterwards.

Q. Did he see any men immediately after he came to where Major General Coote was, rushing from the left and going towards Major Armstrong's post?

A. After he had received Major General Coote's orders, he went more to the left, and saw much confusion, but cannot charge his memory with any particular circumstance of the kind.

Q. Did he see a pike put across a gap, which led to the post, at which the 11th regiment was posted?

A. He does not recollect it.

CAPTAIN BLAIR *before sworn, was now examined by Major Armstrong's desire.*

Q. About what time in the action was it, that he saw Major Armstrong quit his post, and go towards a picquet, which was nearer the enemy than the post he was stationed at?

A. It was some time after the action began, perhaps a quarter, or half an hour.

Q. Where was the witness when he saw him?

A. He was standing in the gap between the work of sand bags, and the hill.

Q. Did

Q. Did the Major appear to him at that time to be abandoning his post?

A. No;—the witness conceived he was going to give some direction to the picquets which were engaged.

Q. Was he not more exposed to danger by going towards these picquets, than if he had remained in his post?

A. Of course he was ; he was going towards the place the enemy were firing from, and the witness believes, at this time the picquets were engaged.

Q. Did he afterwards see Major Armstrong at his post?

A. In a very short time afterwards he did.

Q. How long did the Major remain at his post, after he so returned to it?

A. Until the confusion took place, which he has mentioned in his former evidence, and the witness and the Major were then separated.

Q. What was the cause of the men abandoning the post Major Armstrong was at, at the sand bags?

A. He conceives the men were induced to do so by the men who rushed into it from the picquets, as the men at that post till that time shewed no disposition to do so.

Q. Was this post abandoned from the want of any exertion on the part of Major Armstrong?

A. He does not conceive that it was.

Q. Did he ever hear an officer of the 11th regiment declare, that he saw Major Armstrong in the act of rallying the men?

A. He remembers hearing Lieutenant Maxwell, of the light infantry of the 11th, say, whilst in prison, that he saw Major Armstrong in the act of rallying the men.

Q. Where is Lieutenant Maxwell now?

A. A prisoner of war in France.

CAPTAIN

CAPTAIN WILSON here observed to the Court, that he did not wish to deprive Major Armstrong of any hearsay evidence which might in the smallest degree influence the Court to a favourable impression, but he submitted to the Court, whether *hearsay* evidence should form any part of their minutes.

To which MAJOR ARMSTRONG replied, that being by the fortune of War still deprived of the advantage of the evidence of most of his witnesses, he entreated the indulgence of the Court, to be allowed to examine the few witnesses he has in England to their knowledge of the sentiments and feelings of such prisoners in France, as were witnesses of his conduct on the 20th of May, being aware of the nature of hearsay evidence, and he applied to the Court only to admit it, as far as they shall think, under the special circumstances of his case, it ought to weigh.

Q. (*By the Court to Captain Blair.*) From what circumstance did the conversation with him and Lieutenant Maxwell relative to Major Armstrong, arise?

A. It arose, as well as he can recollect, in general conversation respecting the action.

Q. How far was it from Major Armstrong's post to the picquets on the left?

A. He really cannot exactly recollect, perhaps two or three hundred yards.

Q. Did he see Major Armstrong make any exertions to prevent the post being abandoned?

A. As soon as the men rushed in there was great confusion, and they were then separated.

Q. Did the artillery remain at the post after the troops quitted the post?

A. He cannot say.

Q. (*By desire of Captain Wilson.*) Where was Lieutenant Maxwell posted in the action of the 20th of May?

A. Immediately

A. Immediately in the rear of the post where Major Armstrong was.

Q. At what distance?

A. On a hill immediately behind that post, with one flank to the regiment, the other to the sea, on the side of the hill towards the sea.

Q. (By the Court.) Was there sufficient time for Major Armstrong to have gone to the picquet, and deliver orders before he returned to the post again?

A. He conceives there was; for when he saw him, he was near Captain Martin's picquet of the 11th Regt.

CORPORAL JOHN BAKER, corporal in the 11th Regiment of Foot was sworn, and interrogated by Major Armstrong's desire.

Q. Was he on the expedition against Ostend in May, 1798?

A. He was.

Q. Where was he stationed on the 20th of that month, during the action?

A. In a redoubt made of sand bags on the sands.

Q. Was he stationed at the same post Major Armstrong was?

A. Yes.

Q. Did he see Major Armstrong quit that post during the action?

A. He did.

Q. Does he know why?

A. Yes, by order of Major General Coote, to deliver a message to Colonel Hely of the 11th regiment.

Q. Does he know what the message was?

A. Yes;—he heard Major General Coote say to Major Armstrong;—"go over to Colonel Hely, "and tell him not to throw away his fire, but if the "enemy should advance, to fire a volley and charge."

Q. At what time during the action did Major General Coote send Major Armstrong with this message?

Q

A. He

A. He thinks about ten minutes after the engagement commenced.

Q. Did he see Major Armstrong return to his post shortly after?

A. He did.

Q. Did he continue at his post for some time after?

A. Yes.

Q. How long?

A. He can't say.

Q. Does he recollect, that some considerable time after the engagement commenced, that a picquet on the left gave way, and came towards the post the Major was at?

A. He does;—some ran into the post, and some ran by in the rear.

Q. Did any officer follow, or try to rally them back?

A. Yes, all the officers went to rally them back.

Q. At the time the officers went to rally these men back, did the men at Major Armstrong's post, give way?

A. They all rose up, and caused confusion.

Q. Did they go to the rear?

A. A little, but not much.

Q. Did he see Major Armstrong return with any of the men.

A. He can't say he saw him, but he heard his voice in the crowd;—for the greater part of the men returned.

Q. How soon after was this?

A. It might be about two minutes.

Q. Did he see those men that returned fall in at their original post?

A. They did.

Q. Did Major Armstrong continue at his post after this till the surrender?

A. He

A. He heard his voice frequently in the post on his left.

Q. Did he see him at his post?

A. Yes, before he was taken prisoner.

Q. When the picquets on the left of Major Armstrong's post gave way, could any of the men in the post see those men till they came into the post?

A. They could not.

Q. If Major Armstrong had wished to have sheltered himself, or to have avoided the fire of the enemy, could he have been in a more secure place from the fire, than in the post he was stationed at?

A. It is impossible he could have been in a more secure place.

Q. Was Major Armstrong's post attacked by the enemy during any time of the morning of the 30th of May?

A. It was not.

Q. Does he know when Major General Coote was wounded?

Q. Soon after these men passed by, it was said General Coote was wounded.

Q. Did he see Major Armstrong at this time?

A. He heard Major Armstrong;—and he heard the General calling out to him.

Q. Was Major Armstrong in the front, or in the rear at this time?

A. He was about twelve yards in front of the general, and the enemy was to the left of both.

Q. Does he recollect whereabouts on the Sand Hill Major Armstrong was made prisoner?

A. On the right of the post of sand bags.

Q. (*By the Court*) Where was Major General Coote at the time he sent the message by Major Armstrong to Colonel Hely?

A. He was about three feet on the rear of the witness in the same post.

Q 2

Q. Did

Q. Did he see Major General Coote after he was wounded?

A. He did not.

Q. How could he then know that Major Armstrong was within twelve yards of Major General Coote at the time?

A. About two minutes before he was wounded, he saw him going up the hill, near his (the witness's) and Major Armstrong's rear, and he heard him say, "Major Armstrong, don't let them in."

Q. How far was he from Major General Coote at that time?

A. He supposes about twelve yards from him, and Major Armstrong was about four men from the witness.

Q. Did Major General Coote address Major Armstrong by name?

A. He did; he said "Major Armstrong, don't let them in."

Q. Was he (the witness) one of the men that went out of the post?

A. No; he staid in it from the time he went in, till made prisoner.

Q. When he heard Major Armstrong's voice after the men returned into the post, what did he hear him say?

A. He heard his voice, but he cannot recollect what he said.

Q. How far from the post was Major Armstrong, when he was made prisoner?

A. He was standing on the borders of the post.

[It being Three o'Clock, the Court adjourned till To-morrow Morning, at Ten o'Clock.]

WEDNESDAY, 26th June, 1799.

The COURT being met pursuant to adjournment,
CORPORAL BAKER was further examined.

Q. (*By the Court*) At the time the men returned, and fell in at their original post, how came it that he did not see Major Armstrong?

A. It was impossible from the situation he was in, kneeling down under the sand bags, to see in the rear, and the body of the regiment was to his right and left, but he heard Major Armstrong's voice in the rear with the men that had gone through, coming back to the post.

Q. Is he certain, that he could distinguish Major Armstrong's voice at the time, as he says, all the officers were engaged in endeavouring to rally the men?

A. He is, and that he could know Major Armstrong's voice among five hundred men.

Q. When, as he says, all the officers were endeavouring to rally the men, did he see or hear Major Armstrong making use of his endeavours at the time?

A. He has already said, that he heard Major Armstrong's voice in the crowd, when the men were rallied back.

Q. (*By desire of Captain Wilson*) Was he in the redoubt or post of sand bags, at the time Captain Wilson's gun was dismantled?

A. He does not recollect any gun in the post; the guns were over their heads in their rear.

Q. What officers or men were in the redoubt or post of sand bags, when he (the witness) was taken prisoner?

A. He

A. He did not observe what officers were ; he saw Major Armstrong standing on the right of the bank of the post, and he went and spoke to him.

CAPTAIN WILLIAM COLLIER, *late of the 11th, but now of the 87th Regiment of Foot, was sworn and examined.*

Q. Was he on the Expedition against Ostend, under Major General Coote, in May, 1798 ?

A. He was.

Q. Where was he posted in the action of the 20th of May in the morning ?

A. He was posted at the sand bags.

Q. Where was Major Armstrong's post during the action ?

A. At the same place.

Q. Did he see Major Armstrong on that day quit his post, during the action ?

A. He did not.

Q. Were there any picquets on the left of that post, which ran into it ?

A. Yes.

Q. Did they create any confusion in that post ?

A. The utmost.

Q. Did Major Armstrong give any cause for, or occasion that confusion ?

A. Not that he saw.

Q. Did Major Armstrong make any exertions to rally the men, after they were in that confusion ?

A. He observed, he did all in his power to get the men in their proper stations again.

Q. Did he succeed in bringing back some of the men ?

A. Yes.

Q. Did he hear him say any thing to the men after they had been so rallied ?

A. He

A. He heard him say, "Now then prepare for a charge," or words to that effect.

Q. Was he near Major Armstrong during a great part of the action on the 20th of May?

A. During the greater part of it, he was.

Q. Did he observe that Major General Coote was wounded during the action?

A. He did not.

Q. Did he hear that he was wounded?

A. Yes.

Q. How soon did he hear it before the action ended?

A. A few minutes—about three minutes before the flag of truce was held out.

Q. After he had heard that Major General Coote was wounded, did Major Armstrong or the main body of the 11th regiment, quit their post in disorderly confusion?

A. No.

Q. Is it the witness's opinion, that Major Armstrong upon the whole, as commanding officer of the division, and during the whole of the action of the 20th May, did his duty?

A. From what he (the witness) saw, to the best of his knowledge, Major Armstrong did.

Q. When Major Armstrong was at his post, at the sand bags, could he have perceived the retreat of any picquets from without, till they ran within that post?

A. He thinks not.

Q. Did he ever hear any officer who was present in the action of the 20th, and who is still a prisoner in France, express his opinion or declare his knowledge of Major Armstrong's conduct on that day?

A. He has heard Lieutenant Maxwell, of the 11th regiment, when they have been talking the business over, say, that he saw Major Armstrong rallying the men

men of the 11th regiment, then under his command, and he has also heard the Serjeant Major declare the same.

Q. Did he ever hear the men of the regiment, who are now prisoners in France, express their sentiments or feelings upon Major Armstrong's conduct on that day?

A. When he has been orderly officer, going round the different quarters, he has repeatedly heard the men express their satisfaction at Major Armstrong's conduct on that day, so much so, that they wanted to sign a memorial in his favor, expressing their approbation of his conduct.

Q. (*By desire of Captain Wilson.*) At what distance was the witness from Major Armstrong at the time of the surrender?

A. About five or six yards.

Q. At what post?

A. At the top of the post of the sand bags.

Q. Was it within the post, or upon the hill immediately above it?

A. It was upon the hill close adjoining to it.

Q. At what distance was it from the post Major Armstrong ought to have maintained.

A. It was about a yard or two, and adjoining to it.

Q. Did he observe any gun or guns in the post?

A. He observed Captain Wilson's gun.

Q. Was that gun dismantled?

A. Yes.

Q. At what period during the action?

A. A short time before they surrendered.

Q. Was Major Armstrong in the front or rear of the gun at that time?

A. He can't say.

Q. In what manner was that gun dismantled.

A. He saw it upset, and he believes spiked.

Q. Was

Q. Was Major Armstrong, or any part of the 11th regiment, immediately at the post at the time?

A. He did not observe any one near the gun, he saw it lying there; he did not see the dismantling of it.

Q. (*By the Court.*) At the time Major Armstrong made use of the words, "Now prepare for a charge," what distance was the enemy from the post?

A. From the situation he was in at the time, he could not see the enemy; but, from some circumstances, he thinks the enemy must have been very near at the time.

Q. What circumstances were they?

A. From the wounded men coming into the sand bag post, and saying "the enemy were advancing very fast upon them."

Q. Did he hear Major General Coote speak to Major Armstrong during any part of the action?

A. He did not.

Q. When he saw Captain Wilson's gun dismantled, was it in front of where the 11th regiment originally was posted, or in the rear?

A. It was in the centre of the regiment, in the rear of them.

Q. How far in the rear?

A. To the best of his recollection, perhaps seven or eight yards.

Q. Was that gun fired during the time the 11th regiment was at the post?

A. Several times: Major General Coote ordered it to cease firing.

Q. Does he recollect any words or motions that Major Armstrong made use of at the time, when he endeavoured to get the men back?

A. He does not recollect any words, but he saw him making motions to effect it.

P

Q. Did

Q. Did he hear Major General Coote use any expressions to endeavour to rally any part of the men?

A. He did not hear him—but he might have done so, without his hearing him.

Q. Did he hear Major Armstrong desire any of the guards to put down their arms?

A. He heard Major Armstrong after the flag of truce was held out, call out to the men of the 11th regiment, to cease firing, and to lay down their arms, or they might perhaps be cut to pieces if they did not comply with the order.

Q. Were there any of the Guards with the 11th regiment at this time?

A. There might be here and there a man of the Guards intermixed with that regiment at this time.

Q. (*By desire of Major Armstrong.*) After the flag of truce was hoisted, was there any difficulty in making the men cease firing?

A. There was; and several shots were fired afterwards.

LIEUTENANT THOMAS ARMSTRONG, of the 11th Regiment of Foot, being sworn, was interrogated by Major Armstrong's desire.

Q. Was he on the expedition against Ostend, in May 1798?

A. Yes.

Q. Where was he posted during the action of the 20th of that month?

A. At Major Armstrong's post, on the left of the Guards, where the sand bags were.

Q. Did he see Major Armstrong at his post during the action?

A. He did.

Q. Did the major, at any time, quit his post during the action?

A. Yes.

Q. On

Q. On what occasion?

A. The first time he went, the witness believes, was by Major General Coote's orders to call in a picquet which was on the left—and, to the best of his recollection, he heard Major General Coote's voice, saying, "Major Armstrong, go yourself;" when Major Armstrong was going, the witness said, he would go along with him, but the Major desired him to stay where he was. The Major returned in a few minutes to his post, and remained there till the party from the left gave way; when they came up to the gap, he saw Major General Coote come up in the rear of their post, and call to Major Armstrong to stop the men from coming through; upon which Major Armstrong did his utmost to stop them. He recollects one circumstance in particular, which was, the Major desiring some one to put a serjeant's halbert across the gap; the men forced their way through the gap, and they all past by. The men, where the Major and the witness were posted, when they saw those which run through, rose up and followed them; upon which Major Armstrong and the witness went after them. He saw Major Armstrong exert himself as much as possible to rally the men: one expression which he made use of, he particularly remembers, which was, "Come, my men, for a charge;" upon which the men followed him back in crowds, towards his post. Immediately after he saw Major Armstrong rallying the men; he saw Major General Coote receive a wound in the thigh, upon which the General put his hand to his head.

Q. When Major General Coote was wounded, was Major Armstrong in his front or rear?

A. He was in his front.

Q. Did the ball pass over the heads of Major Armstrong's party, that wounded Major General Coote?

A. Yes: General Coote was on more elevated ground than the party was.

Q. About what time of the action was Major General Coote wounded?

A. Very few minutes before the flag of truce was hoisted.

Q. At what distance was the witness from Major General Coote, when he was wounded?

A. About two yards in his front.

Q. After the General was wounded, did either Major Armstrong, or the main body of the 11th regiment retreat, and abandon their post, till the flag of truce was hoisted?

A. No.

Q. Has he ever heard any of the officers and men, now prisoners in France, express their sentiments about Major Armstrong's conduct in the action of the 20th May?

A. He has.

Q. What has been the general sense of the officers and men, which he has heard expressed upon his conduct on that day?

A. He always heard them approve of Major Armstrong's conduct on that day, and in particular an officer of the 11th regiment, who is now a prisoner in France, (Lieutenant Maxwell) whom he heard say, that he saw Major Armstrong exert himself in rallying the men of the 11th regiment, as much as possible.

QUARTER MASTER SERJEANT JOHN WHITE,
of the 11th Regiment of Foot, was sworn and examined by Major Armstrong's desire.

Q. Was he on the expedition against Ostend, in May 1798?

A. Yes.

Q. Where was he posted on the 20th of that month?

A. In a redoubt made of sand bags.

Q. Where

Q. Where was Major Armstrong posted on that day?

A. In the same redoubt.

Q. Does he know whether Major Armstrong quitted his post, during the action on that day?

A. Once, when he went to rally the men up.

Q. In what posture were the men at that post ordered to keep themselves, behind the sand bags?

A. To sit or lay down.

Q. By whose order were they to do so?

A. By Major General Coote's.

Q. What gave occasion to the necessity of Major Armstrong's rallying the men?

A. By some troops giving way on their left.

Q. Were the men soon rallied after this confusion had happened?

A. The greatest part of them were in about two minutes after.

Q. Was Major Armstrong at his post after the men had been so rallied?

A. He heard him; and to the best of his recollection he was then in the redoubt.

Q. Did he hear Major Armstrong make use of any particular expression to the men?

A. None, that he can recollect after the action first commenced.

Q. Does he conceive that Major Armstrong did his duty by the men, as the commanding officer of the division, on the 20th of May?

A. To the best of his opinion, he did.

Q. (*By desire of Captain Wilson.*) Does he remember any gun being in the post which was occupied by Major Armstrong?

A. No large gun;—he means no cannon in the redoubt.

Q. Can he inform the Court where Captain Wilson's gun was?

A. He cannot.

Q. Was

Q. Was there any gun near his post?

A. There was one on the right, and one on the left near the post.

Q. When in the post, could he see those two guns?

A. Before the action commenced he saw them both posted;—one in the rear of the right, and the other in the rear of the left; he could not see them when he was in the post.

Q. Does he know at what spot in the redoubt, or on the Sand Hills, Major Armstrong was made prisoner?

A. No.

Q. Was the witness in the post when he was made prisoner?

A. No.

Q. Does he know whether Major Armstrong and the party under his command, were made prisoners in the post or not?

A. He can't say pointedly, but to the best of his recollection, the Major and some of them were.

Q. What reason has he for forming that opinion?

A. By hearing the Major's voice, which he supposed to be in the redoubt.

Q. What distance was the witness, during the engagement, from Major Armstrong?

A. At the commencement he was nearly to the right, and the Major was there also.

Q. Did he hear Major General Coote give Major Armstrong any orders, on the 20th of May?

A. The only order he recollects being given, (but he cannot say whether from Major General Coote himself) was to prevent the men that had given way, from coming through the gap into the Major's post.

Q. Was Corporal Baker, of the 11th regiment, servant to Major Armstrong, during the time they were prisoners in France?

A. He was.

Q. Is

Q. Is he now?

A. He can't say.

Q. (*By the Court.*) How does he know, that Major Armstrong went to rally the men?

A. He heard him say, pointedly, "men go to your post."

Q. When the order was given to Major Armstrong, to prevent the men from coming into his post, did the Major take any steps in consequence?

A. He did; he ordered the men to go to their posts.

Q. Where was the witness when he was taken prisoner?

A. Just at the back of the Sand Hill—about five or six yards off the post.

CAPTAIN RICHARD GARDNER, *upon the Half Pay of an Independent Company, was sworn, and desired by Major Armstrong to state to the Court how long he has known him, and what he has observed of his general Conduct as an Officer; when he deposed, that*

He has been acquainted with Major Armstrong, near eighteen years; they were officers serving together in the late 102d regiment, during the last war in the East Indies; and afterwards, though in different regiments, in the Garrison of Gibraltar—When in the East Indies, Major Armstrong was aide-de-camp to Major General Jones, by whose recommendation, on the reduction of the 102d regiment, Major Armstrong was appointed a captain in the 11th regiment. During the whole period of the witness's acquaintance with Major Armstrong, he has always known him to be, and he has always heard him spoken of as, a very worthy man and a good officer.

MAJOR

MAJOR ARMSTRONG produced a Letter under General Jones's hand, which was read by admission, viz.

" DEAR MAJOR,

" THIS day's post favoured me
 " with your letter of yesterday, desiring I would give
 " you a character when in the East Indies under my
 " command. I shall only say, that I had so good an
 " opinion of you, both as a gentleman and an officer,
 " that I made you my Aid-de-camp, and as I arrived
 " in England before the 102d regiment, I recom-
 " mended you to General Smith for the exchange of
 " a company in his regiment, which you got; and
 " shall always be happy to be of use to you, as I am
 " with truth, sincerely

" Your's,

" THOMAS JONES."

" Chichester, June 25th, 1799.

" To Major Armstrong,

" 11th Regiment of Foot,

" No. 2, Bridge Row, Chelsea,

" London."

COLONEL SOLOMON PETER DE L'HOSTE,
 upon the Half Pay of the late 104th Regiment, being
 sworn,

He deposed, that he was first acquainted with Major Armstrong at Gibraltar, to the best of his recollection in the year 1786: he, the Colonel, was then Town Major of the Garrison; and he had frequent opportunities of seeing the Major, who was then a Captain

Captain in the 11th regiment, and he always found him very attentive when on duty, and he always esteemed him as a worthy man.

MAJOR ARMSTRONG here closed his defence, with observing, that the remaining witnesses, he would have called on, are now prisoners in France, and with offering to the Court his most grateful and sincere thanks for their kind indulgence and patient attention to his defence, adding, that the present period was the happiest of his life, from having his honour committed to their disposal.

[CAPTAIN WILSON requesting a short time to arrange some observations which he wished to submit in reply; and it being near Three o'Clock, the Court adjourned till To-morrow at One o'Clock in the afternoon.]

TUESDAY, 25th June, 1799.

The COURT being met pursuant to Adjournment,

SERJEANT WHITE, of the 11th regiment of foot, was called into court, in order to explain a seeming contradiction in his evidence; it appearing in an answer he had given to a question proposed to him, that he had said; "he did not recollect any expression Major Armstrong made use of to the men after the action commenced on the 20th of May, 1798;" whereas he had, in answer to another question proposed to him on the same subject, said, "that he heard Major Armstrong say pointedly, men go to your post."

SERJEANT WHITE explained, that he should have said in his first answer, that he did not recollect any expression Major Armstrong made use of to the men, till after the action commenced.

Q

MAJOR

MAJOR ARMSTRONG now entreated the indulgence of the Court to offer some few remarks as the final completion of his defence, which being acceded to, he produced a written paper, which was read as follows:

Mr. President and Gentlemen of the Court,

“ The patient, candid and indulgent manner
 “ in which I have had the honour to be attended to,
 “ throughout the whole of my defence, calls upon me
 “ at the conclusion of it, to return my warmest acknowledgments to *you* Sir, and to every individual
 “ Member of this respectable Court.

“ When I say, that I look confidently to you for
 “ a removal of the most foul imputation which can
 “ be cast upon the character of any officer, and that
 “ I feel gratified in thus having my life and honour
 “ entrusted to you, I hope I shall not be thought
 “ presumptuous or unwarrantably secure. I only
 “ give expression to the impulse of wounded Innocence, and I am certain I utter it's dictates in the
 “ hearing of men and officers, who know of how
 “ delicate a texture Military Reputation is composed;
 “ who feel, that, like a Woman's Chastity, it ought
 “ not *even* to be suspected, and will consequently
 “ judge me as they would be judged themselves.”

“ The unfortunate situation into which I have been
 “ brought, not by any misconduct of my own, but
 “ through the ungarded levity, to use no harsher term,
 “ of a prosecutor, who was only a subordinate comrade
 “ in the expedition, and who has been driven to the
 “ ungracious alternative of endeavouring to criminate
 “ a man with whom he acknowledges to have had no
 “ previous acquaintance, and against whom he has
 “ not even insinuated one instance of former mis-
 “ behaviour: this unfortunate situation, gentlemen,
 “ is of so melancholy a nature, that however honour-
 “ ably

“ ably: I may stand acquitted in your judgment, and
 “ however unfilled I may feel within myself, no
 “ investigation can ever tear from my mind the in-
 “ veterate sting of so foul an accusation.”

“ Embittered as many an hour must be during the
 “ remainder of my life, by this unmerited attack,
 “ after upwards of twenty years almost uninterrupted
 “ service in every quarter of the globe, I shall always
 “ derive comfort and consolation when I reflect,
 “ that my life, and what is dearer to me than my life,
 “ that my honour as an officer and my character as
 “ a man, have been thoroughly scrutiniz’d, seen and
 “ spoken to by persons of unblemished reputation,
 “ and that the final issue of this enquiry rests with a
 “ Court composed of Gentlemen, who are alive to
 “ the slightest whisper of undeserved slander and
 “ defamation.”

“ The evidence which I have brought before you,
 “ Gentlemen, has been chiefly selected from charac-
 “ ters, that are equally tenacious of military fame.
 “ The concurrent testimony of the soldiery, though
 “ made known to you through the channel of hearsay
 “ declaration, will, I am persuaded, have its proper
 “ weight. Nevertheless, I think it necessary to state,
 “ from the respect and deference which I feel for
 “ every Act of His Most Gracious Majesty, that
 “ when I asked, in the course of my examination,
 “ whether the aggregate body of the 11th regiment,
 “ now in France, did not express a wish to send a
 “ memorial in my favour, *on it being reported, that the*
 “ *next step to promotion had gone out of the Regiment;*
 “ I merely wished to convey, that the soldiers in
 “ general,—(and soldiers, gentlemen, well know if
 “ an officer misbehave in the face of an enemy)
 “ considering that circumstance as a mark of disap-
 “ probation towards me, were anxious to bear testi-
 “ mony to my behaviour on the 20th of May. I am

Q²

“ sensible

" sensible, that no such mark was intended, because
 " General Coote's Letter which I now deliver for
 " your consideration, expressly states, that he was
 " ignorant of the appointment having taken place,
 " when he transmitted his official dispatches to Eng-
 " land, viz,

" *Dover, December, the 9th, 1798,*

" Dear Sir,

" Upon my return to Dover last
 " night, I found your letter of the 5th inst. with
 " its enclosure, and for which I am much obliged.

" I hope the memorial that you propose to present
 " to His Royal Highness the Commander in Chief
 " will have the effect you wish.

" With respect to the promotion of the 11th regi-
 " ment to which you allude—it was given to Lieu-
 " tenant Colonel Donkin long before any letter or
 " dispatch of mine reached England. I was debar-
 " red by the French sending any account of the
 " expedition until the month of July.

" You will have the goodness to acquaint Lieut-
 " enant Hely, that I named him to the Commander
 " in Chief, as the son of Colonel Hely, who was
 " killed, in hopes something might be done for him.

" I sincerely congratulate you on your return to
 " England,

" And have the honor to be,

" Dear Sir,

" Your most obedient

" Humble Servant,

" EYRE COOTE."

" Major Armstrong,

" 11th Regt.

" Colchester

" Essex."

" I have

“ I have taken the liberty to offer this explanation merely to convince this honorable Court that the circumstance was mentioned by me as relevant only to my defence, and as a proof that I could not have acted improperly in the field of battle, without being followed by the censure of those men who were immediate witnesses to every part of my conduct.

“ With regard to Major General Coote’s assertion, *that he does not recollect to have seen me during the whole of the business of the 20th of May*, I can only say, (what has already been positively sworn to by several of my witnesses) that I can give my honor, and if required, I will confirm it by an oath* in your presence, that during the action, on the morning of the 20th of May, General Coote did twice come to my post, and did give me two separate orders respecting the picquets of the 11th regiment, one regarding that which was commanded by Captain Martin, and which had got between our own and the enemy’s fire; the other relative to Colonel Hely, who was at some distance, with a small detachment from the main body of the regiment. His words on the latter occasion are already on your minutes, and need no further illustration. In less than an hour after, when the picquets on the left were driven in, he came up to my post, and gave me orders *in person*, to stop or hinder the men from forcing their way into the redoubt, where I was originally stationed. I have again to lament, Gentlemen, that I could not bring these circumstances to General Coote’s recollection.

“ I shall make no observations on the cutting expression which my prosecutor has thought proper to make, with regard to the dastardly situation in which

* The Court did not think it necessary to put the defendant to his oath.

" he has been pleased to say that he saw me on that
 " day. The absence of several officers of approved
 " character and courage, and who are high in His
 " Majesty's service, might refute this aspersions, were
 " they in England, or within the reach of application.
 " Thankful as I am to those gentlemen who have
 " voluntarily stepped forward in my behalf, I wish it
 " nevertheless to be understood by *you*, gentlemen,
 " that I do not rest my hopes of acquittal upon the
 " ground of character, or upon instances of good
 " conduct, that are out of the present case. I rely
 " upon the solidity of the evidence which I have ad-
 " duced, and upon the judgment of every member of
 " this honorable Court. If there are parents among
 " you, gentlemen, you will feel for the situation of
 " a man, who, under the fullest conviction of his in-
 " nocence, has for several months been subjected to
 " bear, not only the taunts and whispers of the world,
 " but, what is more excruciating, who has been re-
 " duced to the necessity of sharing the anxieties of
 " a wife and an infant family, because he could not
 " obtain, what his prosecutor has at length been re-
 " luctantly obliged to bring forward. I acquit him
 " of malice in the act, and I most heartily forgive him
 " the pain and grief which an unprotected family,
 " left at a public inn, have experienced, and still
 " suffer from this enquiry, that has been long court-
 " ed by myself, and is now finally brought to issue.
 " He, as well as myself, Gentlemen, is in a situation
 " to be exposed to domestic sorrows. This appeal
 " therefore to your feelings, will not escape the in-
 " ward monitor of his own conscience. God send
 " that he may never experience the accumulated
 " cares which have been brought upon me!

" This, gentlemen, is the plain unvarnished tale
 " of conscious innocence; this is the language of a
 " simple soldier, whose honor, for the first time in
 his

" his life, stands impeached. I leave it, as I have al-
 " ready expressed myself, in the hands of officers
 " who know of how delicate a texture military re-
 " putation is composed, who feel, that like the chas-
 " tity of a woman it ought not even to be suspected,
 " and will consequently judge me by the same mea-
 " sure that they would be judged themselves.

" ANDREW ARMSTRONG,
 " Major 11th Foot."

CAPTAIN WILSON *then offered the following Reply*
to the Court, which was read; viz.

" GENTLEMEN,

" " In bringing forward this prosecu-
 " tion, I disclaimed every motive of personal enmity
 " towards Major Armstrong; and I trust, Gentle-
 " men, you must be sensible, that throughout the
 " whole of the proceedings I have scrupulously
 " avoided every mark of personal reflection, with the
 " same caution that I have endeavoured to avoid the
 " implication of any other person than Major Arm-
 " strong.

" The same principle, gentlemen, which actuated
 " my conduct in the commencement, shall not for-
 " sake me at the conclusion; and therefore it is,
 " that I shall leave untouched the very unhandsome,
 " and I might add, not very liberal expressions, made
 " use of by Major Armstrong in his defence; so far
 " as regards myself I shall not notice them; but,
 " Gentlemen, as Major Armstrong's defence con-
 " veys insinuations against the conduct, character,
 " and testimony, of a general officer whom we all
 " know to be a brave, experienced, and gallant sol-
 " dier, whose integrity as a man can be equalled only
 " by his courage in the field, I must confess, I can-
 " not,

"not, in justice to that officer, withhold a wish,
 "that I had been the ONLY object of Major Arm-
 "strong's insidious remarks.

"Gentlemen, I have indeed every reason, equally
 "with Major Armstrong, to express my acknow-
 "ledgements to this honourable Court, for the pa-
 "tient, attentive, and impartial hearing, which you
 "have given to the whole investigation and defence
 "of Major Armstrong's conduct.

"Sensible as I am of your great attention, to every
 "the most minute, circumstance, I have not deemed
 "it necessary to go into any recapitulation of the
 "evidence, or to compare the testimony, respectabi-
 "lity, and relative situations, of the different wit-
 "nesses who have been called in support of this en-
 "quiry, or in defence of Major Armstrong; on all
 "these I shall forbear to make any remark, having
 "the fullest confidence in the discrimination, judg-
 "ment and justice of this honourable Court.

"I have only to add, that as Major Armstrong
 "expressed his intention (and in some degree pledged
 "himself) to call upon *Pearce, Campbell, Wicks, and*
 "*Sims*, of the Guards, or some of them, to contro-
 "vert the testimony of Graves, I did not call those
 "men myself—although *Pearce* can swear to the
 "facts related by Graves, and to the person of
 "Major Armstrong; as can also the others, that
 "an officer with two epaulets desired them to
 "lay down their arms, previous to any order for
 "surrender, and that Major Armstrong must have
 "been that officer, as no other field officer of the
 "11th regiment was in existence there at the time,
 "Colonel Hely having been killed.

"I have further to observe, Gentlemen, that I
 "wished to avoid calling any evidence, for the pro-
 "secution, who could be in any manner suspected
 "of

“ of personal attachment to me, and that on this account I did not call for the testimony of

“ Bombadier Platt,

“ Bombadier Ennibal,

“ Bombadier Cummings,

“ Gunner Brownhill,

“ Gunner Bonfor, and others:

“ Although I am convinced they can prove, that at

“ the time of dismantling my gun, Major Armstrong

“ of the 11th regiment, was neither in or near the

“ redoubt of sand bags ; as can also Captain Godfrey.

“ If therefore, their evidence be thought necessary,

“ not only the bombadiers and gunners, but also the

“ guardsmen, attend the call of this honorable Court.

“ Gentlemen, I will no longer trespass on your

“ time, than to assure you I retain, and whatever

“ may be your decision, shall ever retain, a grateful

“ sense of obligation for your *patient* attention during

“ the whole course of this enquiry ; trusting, that if

“ any thing inconsistent with the due etiquette of

“ courts martial, has appeared in my deportment,

“ you will do me the justice to ascribe it to the par-

“ ticular circumstances of my situation, this being

“ the first painful duty of the kind I ever had occa-

“ sion to discharge.

“ WILTSHIRE WILSON,

“ Capt. Royal Artillery.”

THE COURT having taken into consideration

the observation made by Captain Wilson, in the

course of his reply, respecting the adducing of further

evidence, came to an opinion, that Captain Wilson

had had a full opportunity of laying before the Court

whatever evidence he thought proper, and that it

was not now necessary for the Court to hear any fur-

ther witnesses :

Which was communicated to the parties in open

Court.

R THE

THE COURT MARTIAL having duly weighed the evidence given in support of the charges preferred against the Prisoner Major ANDREW ARMSTRONG, of the 11th regiment of foot, with that which he has adduced in his defence, is of opinion, that he is NOT GUILTY of either of the charges preferred against him, and doth therefore ACQUIT him.

G. HOTHAM, LIEUT. GEN.
President.

J. A. OLDHAM,
Dep. Judge Advocate General.

(A true Copy,)

J. A. OLDHAM,
Judge Advocate's Office,
13th July, 1799.

Letter from the Judge Advocate's Office.

Grafton Street, past 6 o'Clock, Wednesday Evening

" SIR,

" Just returned from St. James's, I lose
" no time in acquainting you, that I have had the
" honor of laying before the King the proceedings
" of the general court martial upon your trial, and
" have the satisfaction to add, that HIS MAJESTY
" has been pleased to approve the sentence of the
" court martial, whereby you are acquitted of the
" charges preferred against you.—I have the honor
" to be, Sir, " Your most obedient, and

" Most humble Servant,

(Signed) CHARLES MORGAN.

MAJOR ARMSTRONG,
Of the 11th Regiment of Foot.

APPENDIX.

IN publishing the following letters, it has been the study of the Editor, as it is the particular wish of Major Armstrong, that every thing which could be called private communication, should be cautiously suppressed. It will be found, that nothing invidious or disrespectful, nothing that could implicate or accuse, is here presented to public consideration.

The defendant's character, as a man, and his honour, as a soldier, have been attacked; and although the acquittal of the respectable Court, by which he has had the good fortune to be tried, may, to many, appear sufficient justification, something still must be allowed to the feelings of human nature; most especially in a case where the purest innocence may be subjected to misconstruction. Mankind are too apt to censure when they do not thoroughly see, and feel conviction pressed home to their bosoms, and they frequently attribute that to a deficiency of evidence, or to a want of explanation, which is only withheld from motives of delicacy and regard.

The subsequent documents, which in themselves are irrefragable proofs, (that neither General Coote nor General Burrard entertained an unfavourable opinion of the defendant's conduct and behaviour) would not have been brought forward, had not the multiplicity of occurrences, and the unavoidable confusion that ever will attend discomfiture and surrender at discretion, put circumstances which were essentially necessary to Major Armstrong's justification, out of General Coote's remembrance. The very

frail tenure that mere assertion holds in every instance of judicial process, makes it important to place declarations of facts beyond the reach of question or conjecture. On this ground, and from this principle only, Major Armstrong's deposition upon oath, before the Mayor of Bristol, has been added to other collateral proofs of his innocence. He has done so in vindication of a direct and broad assertion, which was made in the course of his defence, before a tribunal where he stood arraigned for his life. If so solemn, so unequivocal, and so important an appeal to memory, can produce sympathy of conviction, its effect will be doubly grateful to a mind that neither harbours resentment nor encourages mistrust.

Letters from Major General Coote to Major Armstrong of the 11th Regiment of Foot, whilst he was a prisoner of war at Fort d'Escharpe, near Douay.

Citadel of Lisle, 4th July, 1798.

DEAR SIR,

I have the pleasure to inform you, for the satisfaction of yourself, the officers and soldiers of the 11th Regiment, that I have this day received a letter from Mr. Cotes at Paris, of which the following is an extract :

“ Citizen Niou left Paris for England the 26th
“ instant, to establish an exchange, which I firmly
“ believe will be done soon after his arrival, as both
“ countries are very desirous of it.”

Signed, J. COTES.

I trust this account may prove true ; should any thing worthy of communication offer, you shall hear from

from me. I hope you all are as comfortable as the nature of your situation will admit.

I take this opportunity of sending you the enclosed order, and I am,

Dear Sir, with best wishes for the 11th Regt.

Your very faithful and obedient servant,

Signed, EYRE COOTE.

General Burrard sends his best compliments, and hopes you received some letters from England, that he sent you last week; he answered your letter immediately, and made many enquiries about your watch and money, but never could get any information.

The money you wanted, and which you wrote about to him, has been remitted to you.

Be so obliging as to acknowledge the receipt of this letter, directed to the Commandant of the Citadel of Lisle.

Signed, E. C.

Citadel of Lisle, August 3d, 1798.

DEAR SIR,

I should certainly have written to you since the receipt of your letter, had any thing worthy of communication occurred. We live in hopes; and, I trust, that the negociation, which I understand from Mr. Cotes of Paris, still subsists and is now under consideration in London, will very soon be brought to an issue, and that we shall be enabled to return to England. I suppose you have received the new contract which has been sent to us.

We are as much in the dark as to any thing that
is

is going on as you are. I hope you are all well,
and, with best wishes to your corps,

I have the honour to be,

Dear Sir,

Your most obedient and faithful servant,

Signed, EYRE COOTE.

Major Armstrong,

11th Regiment.

August 29, 1798.

DEAR SIR,

As I have obtained permission
to go to England for three months, I beg to enclose
you an order I have issued here, and to request you
will make my best wishes to the officers and men of
the 11th Regiment, and assure them, that all in my
power shall be done to forward their exchange, should
the negociation still be continued. Believe me, dear
Sir, with great truth,

Your very faithful and obedient servant,

Signed, EYRE COOTE,

Major Armstrong.

Citadel of Lisle, 18th October, 1798.

DEAR SIR,

According to the treaty, we have a
right to send home all the officers on parole, who
are not wanted for the immediate protection and
charge of the men; I have applied in consequence,
through Mr. Cotes, for that purpose, keeping here
a sufficient number of officers for the use I have be-
fore stated. I could wish you immediately to do
the same. Write to Mr. Cotes, Rue de Bacq,
No. 469, Paris; and inclose a return of the officers
you

you can spare; generally speaking, I have ordered the youngest in rank to remain, and I wish you to do the same.

I should imagine, that if you leave two captains, four subalterns, an adjutant, a quarter-master, and a surgeon; you may apply for leave for all the rest. If you think it right to stay yourself, I shall take care, that it shall serve you, by as strong a recommendation in your favor as I can make, and I assure you, it will give me pleasure to serve you.

I beg, if it does not interfere with the service, or your arrangements, that you would allow Captains Sirie and Gibbs, to take advantage of the permission, as I understand, they have both such urgent reasons for returning to England, as make it interesting to me, that they should be among the first to get there.

Your friends here *all* desire to be remembered kindly to you *all*; among that number, I have the pleasure to subscribe myself, with great truth,

Dear Sir, Your's, very faithfully,

Signed, HARRY BURRARD.

I hope, and believe, the officers and men who remain, will very soon follow.

Major Armstrong,
commanding 11th Regiment.

The superscription is as follows:

Au Citoyen Passard, Commandant le Depot des Prisonniers de Guerre au Fort D'Escarpe.

*Pr Major Armstrong, 11th Regiment,
Prisonnier de Guerre, Fort D'Escarpe, pres de
DOUAI.*

Ciadel-Lisle, 21st October, 1798.

MY DEAR SIR,

I wrote to you a few days ago, but for fear of accidents, I think it right to give you all the information in my power, respecting the officers who are to request leave to go home on parole, and those who are to stay to preserve order with the men, and to march them when exchanged.

I have kept a proportion of officers, the juniors of each rank; and I wish you to observe the same; allowing such exchanges as may make it convenient to your officers. If you leave two captains, four lieutenants, and two ensigns, with the adjutant, or some one to act for him, I think it will be sufficient.

You know best whether you can spare your surgeon; I should not, if the wounded could not do without him.

In that case, Captains, Sirie, Knight, Gibbs, and Aylmer, should go to England; the three first I have particular reasons for being interested about, and wish them to have permission, as I understand they have particular claims for indulgence.

If you like to stay yourself, you may of course; I only mention it, to add, that I shall make a merit of it *for you* to the Commander in Chief, and that I shall, at all times, be happy to serve you.

Pray send a return immediately to Mr. Cotes, under cover, to Perregaux, Paris, Rue Mont Blanc, with the names of those you wish to go to England, and those who are to stay. Also mention their servants' names, or men you may wish to send with them as such; one to each officer; and I shall be obliged to you to do the same to me by return of post,

post, which I will also forward to him, to prevent mistakes.

I beg to be remembered to all your officers, and am, with great truth, Dear Sir,

Your faithful humble servant,

Signed, HARRY BURRARD,

Major General.

I hope the men will very soon follow; I will forward it, and so will General Coote, with all our might.

Major Armstrong,

commanding 11th Regt. Fort D'Escarpe.

(Addressed on the cover.)

Au Citoyen Passard, Commandant le Depot des Prisonniers de Guerre, au Fort D'Escarpe.

Par Le Major Armstrong,

11th Regiment,

Fort D'Escarpe,

A Douay.

near Douai.

Citadel of Lisle, 27th of Oct. 1798.

DEAR ARMSTRONG,

I HAVE this moment received your letter of the 26th, and communicated the contents to General Burrard. He has not received the list of officers, which you speak of, that are to go to England. He has this moment written to Captain Cotes. The following is taken from his letter:

" By a letter from Major Armstrong, received
" from Fort D'Escarpe this day (by an officer here)

" I find he has sent you a return of officers to go

S

" home,

“ home, and he says, he has sent me one by the last
 “ post, which is not yet come to hand. To save
 “ trouble, I take the liberty of enclosing his letter;
 “ the latter part of it I do not understand. If, from
 “ motives of delicacy, he has given in his name to
 “ stay here, I think, as he is a married man and a
 “ very old officer, he ought to go to England,
 “ leaving two captains and six subalterns with the
 “ regiment. Pray act upon it in that manner if you
 “ please.

“ (Signed) H. B.”

*Major Armstrong,
 &c. &c.*

P. S. If there is any thing you do not like in
 what the General has written to Cotes, he desires you
 may write to him and stop it.

Let me know if you receive this, and if I can do
 any thing for you.

Your's,
 (Signed) I. L. N.

(Addressed on the Cover.)

*Au Citoyen Passard, Commandant le Depot des Prison-
 niers de Guerre au Fort D'Escarpe, pres Douay pour
 remettre au Major Armstrong,*

*11th Regiment of Foot,
 Prisonnier de Guerre,
 Fort D'Escarpe,
 Douay.*

Dorking, 7th January, 1799.

DEAR SIR,

I DULY received your favor, and
 lost no time in writing to Colonel Brownrigg on the
 subject.

subject. Your memorial is very proper, and your services are long and meritorious; and I hope you will succeed in what you ask. But it is not at all times in the Commander in Chief's power to do *immediately* what he wishes.

Wishing you success, I remain truly,

Dear Sir,

Your's faithfully,

(Signed) HARRY BURRARD.

Major Armstrong,
11th Regiment.

(Addressed on the cover.)

*Major Armstrong's Deposition upon Oath before
the Mayor of Bristol, relative to a very ma-
terial Part of his Defence.*

ANDREW ARMSTRONG, Major in His Majesty's Eleventh Regiment of Foot, came this day before me, and made oath, that Major General Coote, who commanded the expedition to Ostend, in the month of May, one thousand seven hundred and ninety-eight, delivered to this deponent in person at his, Major Armstrong's, post or station with the eleventh regiment, on the sand hills near to the town of Ostend, two separate verbal orders; the first of said orders delivered to this deponent by General Coote in person, at deponent's post, was about a quarter of an hour after the action had begun, on the morning of the twentieth of May, viz. "To remove Captain Martin's picquet of the eleventh regiment, that had got
" between two fires;" and also at the same time
gave

gave deponent a message to deliver to Colonel Hely of the eleventh regiment. Major General Coote's second order was likewise delivered to deponent in person, in about one hour after the first order, viz.—
 “ To stop, or hinder the picquet or party that gave
 “ way from the left, from coming or entering in the
 “ rear of deponent's post,” where he, this deponent, was stationed with the regiment. Deponent further saith, he was some yards in front of Major General Coote, at the time he was wounded. The above orders, &c. have been proved by Major Armstrong's witnesses on his trial. Deponent also sets forth, that he did not quit his post or station from the time the enemy made his first appearance near to the Sand Hills, on the morning of the twentieth of May, one thousand seven hundred and ninety eight, until he, this deponent, was taken prisoner by the enemy; except when he went by order of General Coote to remove the aforesaid picquet, and to deliver the message to Colonel Hely, which deponent did; and in about an hour afterwards, when deponent went to rally those men that gave way from the left, and which deponent effected, or with the greater part thereof in a very few minutes, when he, this deponent returned immediately to his post or station.

Sworn before me, at Bristol, the 8th of July, 1799.

(Signed) ROBERT CLAXTON,
 MAYOR.

(Signed) Andrew Armstrong,
 Major 11th Regt. of Foot.

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Ex. J. M.
 4/29/10